

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30980 of 2024

Arising Out of PS. Case No.-876 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Kundan Sada, Son of Hira Lal Sada Resident of Village - Jhoparpatti, P.S.-
Nagar, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvottam Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 302 and 34 of the I.P.C. and Section 27 of the Arms
Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that when he was sitting at his shop when he
heard a sound firing and accordingly, he rushed towards the
place of occurrence and saw the petitioner holding a pistol in his
hand fleeing from the place of occurrence along with Rabindra
and Kishore Sada. It is next alleged that Dilkhush, his staff
sustained gunshot injury and he died on the way to hospital.



4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that one Rabindra has a shop adjacent to the shop of the informant and they are having business rivalry. It is further submitted that it absolutely does not stand to reason that as to why the petitioner would have killed Dilkhush when he has no animosity with him. It is further submitted that though it is alleged that petitioner was seen fleeing from the place of occurrence carrying gun, but then, it is not alleged that it was the petitioner, who had shot the deceased. It is further submitted that petitioner will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Nagar P. S. Case No.876 of 2022, subject to



the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Further, it is made clear that in the event, if charge-sheet is filed connecting the petitioner with the offence in that event, the present anticipatory bail order shall loose its effect.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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