

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34313 of 2024

Arising Out of PS. Case No.-30 Year-2022 Thana- KHUSRUPUR District- Patna

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Kundan Kumar @ Kundan Paswan son of Shyamdeo Paswan Village- Magha
Mal Pur, Ps- Khusharupur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 302,201, 34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per FIR, on 09.02.2022 at about 7.30PM, when
the mother of the informant had gone to natural call, it is alleged
that all the 12 FIR, named accused persons including the
petitioner took her in the house of co-accused Bidhi Paswan and
thereafter killed her by cutting her neck.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case due to land dispute. He submits that there is no specific
allegation against the petitioner. He submits that neither family
members of the informant nor any nearby independent witness
has disclosed the name of the petitioner. He submits that



similarly situated co-accused has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 28.03.2023 in Cr. Misc. No. 3444 of 2023. He submits that there is general allegation levelled against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application and he is languishing in judicial custody since 20.12.2023.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Khusharupur P.S. Case No. 30 of 2022, subject to the condition that the petitioner shall co-operate with the investigation/trial, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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