

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34762 of 2024

Arising Out of PS. Case No.-184 Year-2023 Thana- JOKIHAT District- Araria

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Kundan Kumar @ Kundan @ Kundan Sah SON OF LATE KASHINATH
SAH @ KASHI SAH RESIDENT OF VILLAGE- JOKIHAT BAZAR, PS-
JOKIHAT, DIST- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sessions Case No. 81 of 2024 arising out of Jokihat P.S. Case No. 184 of 2023 instituted for the offences under Sections 307, 341, 323, 324, 379, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in short, is that on 22.04.2023 when the son of the informant was going towards his uncle's house Kundan Sah attacked on his son and assaulted with fists, slaps and knife on throat due to which he became injured. He also snatched cash of Rs. 12500/- and a golden chain from his son.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. FIR has been lodged after two days of the occurrence. The informant is not an eye-witness. There is no allegation of repetition of blow hence no case under section 307 IPC is made out. Charge-sheet has been submitted in this case. The petitioner is in custody since 19.12.2023 and he has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, petitioner having no criminal antecedent and nature of injury, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Case no. 81 of 2024 arising out of Jokihat P.S. Case No. 184 of 2023 subject to the following conditions.

(I) One of the bailors shall be own/close member of the family of the petitioner

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner

(Rudra Prakash Mishra, J)

Prakash/-

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