

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37085 of 2024

Arising Out of PS. Case No.-703 Year-2019 Thana- SONEPUR District- Saran

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Kunal Kumar @ Kunal Kumar Yadav S/O Pradip Rai Village- Semara, P.S.-
Sonpur, Dist- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr.Ajit Kumar

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

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sonepur P.S. Case No. 703 of 2019 instituted for the offences
under Section 392 of the Indian Penal Code.

3. As per prosecution case, while the informant was
delivering parcel to Chandan Kumar, two unknown miscreants
on motorcycle reached there. It is alleged that one of the
miscreants, carrying a pistol with him, came to the informant
and snatched the bag. It is further alleged that he also assaulted
the informant with the butt of the pistol on his head and
snatched Rs. 6,500/- thereafter, both of them fled away from
there.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light merely on the basis of suspicion and due to his criminal antecedents. The petitioner has got no concern with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has not been put on Test Identification Parade to ascertain his participation in the alleged occurrence. Charge-sheet has been submitted in this case. Moreover, it is submitted that the other co-accused has already been granted bail by this Court vide order dated 02.05.2024 passed in Cr. Misc. No. 33743 of 2024. The petitioner is in custody since 29.01.2024 and has thirteen criminal antecedents.

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

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail **after framing of charge, if not already framed**, 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 Sonpur P.S. Case No. 703 of 2019.

(Rudra Prakash Mishra, J)

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