

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39915 of 2024

Arising Out of PS. Case No.-582 Year-2023 Thana- GAURICHAK District- Patna

Kundan Kumar SON OF Ravindra Singh VILLAGE- SADAHPURA, PS-
GAURICHAK, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranvijay Singh, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 332, 333, 353, 504 and 506/34 of the Indian Penal Code, Sections 30(a) and 37 of the Bihar Prohibition and Excise Act as well as Section 21(a) of the NDPS Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the present case by the informant. It is further submitted that similarly situated co-accused, namely, Bhola Kumar @ Chonga had moved this Court seeking anticipatory bail by filing Cr. Misc. No. 18234 of 2024 and the same was allowed by an order dated 19.03.2024. It is next submitted that while granting the privilege of anticipatory bail to Bhola Kumar



the Court had noted the arguments of both sides in detail and thereafter the privilege of anticipatory bail was granted. It is also submitted that the case of the petitioner if not akin is on similar footing and thus based on parity seeks anticipatory bail. It is further submitted that petitioner will not abscond rather will cooperate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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 Gaurichak P.S. Case No. 582 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. One of the bailors of the petitioner shall be his father, namely, Ravindra Singh.

7. However, it is made clear that if the Investigating Officer of the case files an application before the learned trial



court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

8. It is further made clear that if after investigation charge sheet is submitted connecting the petitioner with the offence of the NDPS, in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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