

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45125 of 2024

Arising Out of PS. Case No.-880 Year-2023 Thana- RUPASPUR District- Patna

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Kundan Saw @ Kundan Sao S/o Ram Lakhan Sah @ Ram Lakhan Sao R/o
village-Ramjichak Digha, PS- Digha, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr.Umanath Mishra

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-07-2024 Heard learned counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.Tr. No. 334/2024 (arising out of Rupaspur) P.S. Case No. 880/2023 dated 27.10.2023 registered for the offence punishable u/s 399, 402 and 414 of the Indian Penal Code and Sections 25(1-B) (a), 26 and 35 of the Arms Act.

3. As per the prosecution case, two live cartridges were recovered from the possession of the petitioner when the petitioner and other co-accused persons were making preparation to commit crime.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in two other criminal cases and he is on bail in both the cases as stated in para 3 of the bail petition. The petitioner is in custody since 27.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, Patna in connection with S.Tr. No. 334/2024 (arising out of Rupaspur) P.S. Case No. 880/2023, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable



to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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