

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50814 of 2024

Arising Out of PS. Case No.-293 Year-2022 Thana- JAHANABAD District- Jehanabad

Kunal Kumar @ Krishna Avtar Kumar Son of Raju Prasad @ Raju Ray R/O
Vill.- Raghapur, P.s.- Bihta, Distt.- Patna, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 04-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Jehanabad (Kanaudi O.P.) P.S. Case No. 293 of 2022, lodged on
26.04.2022, under Sections 302/120B/34 of the Indian Penal
Code and under Section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged
against four unknown accused persons against whom there is
allegation that they have killed the father of the informant in
presence of his staff and at the time of commission of crime
they all were wearing helmet.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. His name has come in this
case only by virtue of the confessional statement. He submits



that the confessional statement may not be relied by the Court. He further submits that there are four criminal cases pending against the petitioner. He further submits that in case-diary at para-67 indication of eight criminal cases pending has been shown, which is not correct. He submits that there are eight criminal cases pending against other co-accused Sanjay Singh. Against the present petitioner only four criminal cases are pending. He submits that the said confessional statement has not been corroborated and, therefore, the petitioner may be released on bail. Counsel submits that Arms Act is not attracted as no arm has been recovered. The petitioner has been remanded in this case.

5. Learned counsel for the State, on the other hand, opposes the prayer for bail and submits that it has come in the case-diary that petitioner is a member of organized gang. He submits that case-diary indicates that eight criminal cases are pending. But even if it has been accepted as per pleading of paragraph-3 of the petition that there is only four criminal cases pending against the petitioner excluding the present one, then it is very serious that there are three criminal cases which have been lodged under Section 302 I.P.C. Therefore, he submits that at this juncture petitioner may not be released on bail.



6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail is hereby rejected. However, liberty is granted to the petitioner that he may renew his prayer for bail one year after framing of the charge.

(Dr. Anshuman, J)

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