

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56075 of 2024

Arising Out of PS. Case No.-294 Year-2022 Thana- PATRAKARNAGAR District- Patna

Kunal Kumar @ Krishna Avtar Kumar S/o Raju Prasad @ Raju Ram R/o vill
- Raghapur, P.s .- Bihta, Distt. - Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar
For the Opposite Party/s : Mr. Ashok Kumar Singh

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

ORAL ORDER

2 31-08-2024 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 Sessions Trial No. 577 of 2024 arising out of Patrakar Nagar P.S. Case No. 294 of 2022 dated 01.06.2022 registered for the offences punishable u/s 302, 120B read with section 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the allegation against the co-accused persons is that they fired on uncle of the informant due to which his uncle died on the spot and one Shambhu Kumar also got injured due to firing and during treatment he also died. It is further alleged that the petitioner is



also involved in this alleged occurrence due to which this case has been lodged.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up during the course of the investigation. There is no specific allegation of firing against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 19.06.2023 passed in Cr. Misc. No. 4189 of 2023. The petitioner has four criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 15.02.2024.

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, Patna in connection with Sessions Trial No. 577 of



2024 arising out of Patrakar Nagar P.S. Case No. 294 of 2022,
with a condition/s:-

(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 bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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