

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55156 of 2024**

Arising Out of PS. Case No.-153 Year-2024 Thana- BALIYA District- Begusarai

Kundan Kumar son of Rambriksh Singh VILLAGE- SADANANDPUR, PS-
BALLIA, DIST- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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

ORAL ORDER

2 01-08-2024 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 Ballia P.S Case No. 153 of 2024 dated 08.05.2024 registered for the offence punishable under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26/35 of the Arms Act.

3. As per the prosecution case, one country-made carbine, two magazines, two 9 mm cartridges, one country-made pistol and seven live cartridges were recovered from the mango orchard where the petitioner and the co-accused persons were apprehended during the course of making preparation to commit crime. It is further alleged that one screen touch mobile phone



was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is also submitted that one screen touch mobile was recovered from the conscious possession of the petitioner. The co-accused person has already been granted regular bail by this court vide order dated 16.07.2024 passed in Cr. Misc. No. 51419 of 2024. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has six criminal antecedents and he is acquitted in one case as stated in para 3 of the bail petition. The petitioner is in custody since 09.05.2024.

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, Begusarai in connection with Ballia P.S. Case No. 153 of 2024 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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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