

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71325 of 2024

Arising Out of PS. Case No.-991 Year-2023 Thana- NAGAR District- Vaishali

Kundan Kumar son of Late Pramanand Ram Village- Dhamun, Ps- Patori,
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Hajipur Town P.S. Case
No. 991 of 2023, instituted for the offences punishable under
Sections 385 and 387 of the Indian Penal Code.

3. The prosecution case, in short, is that, the brother of
the informant received a call that his son would be murdered, if
Rs. 10 lakhs is not delivered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner



also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement made by co-accused Shamu Singh. No Specific allegation has been attributed against the petitioner. There is general and omnibus allegation levelled against the petitioner. The petitioner is in custody since 09.12.2023 and has got six criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 08.04.2024 passed in Cr. Misc. No. 24166 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hajipur Town P.S. Case No. 991 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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