

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76226 of 2024

Arising Out of PS. Case No.-139 Year-2023 Thana- SIGAUDI District- Patna

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Kundan Kumar Son of Kamakhya Yadav @ Kamakhya Narayan @
Kamakhya Narain Singh @ Kamakhya Prasad Resident of village- Sadabah
P.S.- Dulhin Bazar, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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

ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sigori
P.S. Case No. 139 of 2023 instituted for the offences under
Section 392 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of looting gold
ornaments and Mobile etc. from the Informant and threatening
him with the pistol. Some looted gold ornaments were also
recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



The petitioner is not named in the F.I.R. and his name has surfaced in this case on the basis of confessional statement of co-accused, namely, Pappu Kumar. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. Till date, no T.I. Parade has been conducted. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent and is languishing in judicial custody since 28.06.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the similarly situated co-accused namely Pappu Kumar has been granted bail by this Court *vide* order dated 10.05.2024 passed in Cr. Misc. No. 35957 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the claim for bail being based on parity, let the petitioner, abovenamed, be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of Court below/concerned
Court in connection with Sigori P.S. Case No. 139 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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