

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5270 of 2025

Arising Out of PS. Case No.-65 Year-2021 Thana- BUNIYAD GANJ District- Gaya

Kunal Baba @ Kunal Pandey @ Kunal Dubey @ Kunal Pandit S/o Manoj
Dubey @ Manoj Panday R/o village- Manpur Gandhi Nagar, PS- Muffasil,
Dist - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 04-04-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Buniyadganj P.S. Case No.65 of 2021 lodged under Sections
147, 148, 149, 341, 323, 386, 302 and 379 of the IPC read with
Section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against
unknown accused persons against whom there is allegation that
some unknown accused persons reached at the shop of the
informant demanded Rs.10,000/- and in case of non-payment,
they have threatened to kill him and also alleged that 19.04.2021
at about 10.30 AM, information has been received by the
informant that his brother was killed by gun shot.



4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioner is named in the F.I.R. only on suspicion, disclosed by the accused persons. He further submits that there is general and omnibus allegation against the petitioner.

5. Counsel submits that the petitioner is in custody since 18.09.2024 and his criminal antecedent is not clean. There are in total 5 criminal cases pending against him in which he is on bail. He further submits that petitioner has no direct allegation and of overt act against him.

6. Counsel further submits that other accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 27.07.2023 passed in Cr. Misc. No.31686 of 2023 and vide order dated 13.05.2022 passed in Cr. Misc. No.66952 of 2021.

7. Learned APP for the State opposes the prayer for bail of the petitioners and submits that petitioner's antecedent is not clean. There are five criminal cases pending against him.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge, if**



not framed as well as on being satisfied by the trial court that the petitioner is not absconding in any cases *i.e.*, (i) Muffasil P.S. Case No.606 of 2021 (ii) Muffasil P.S. Case No.296 of 2021 (iii) Muffasil P.S. Case No.165 of 2021 (iv) Muffasil P.S. Case No.18 of 2022 (v) Muffasil P.S. Case No.496 of 2023 which are pending against him, on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of A.C.J.M.-VIII, Gaya in connection with Buniyadganj P.S. Case No.65 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

B. Further condition that considering the kind of criminal antecedents mentioned in paragraph '3' of the application, this Court directs that till conclusion of trial in the present case, once in every two months the petitioner shall mark



his attendance before the S.H.O. of Buniyadganj Police Station in the District of Gaya and shall keep on furnishing his complete whereabouts and mobile number to the S.H.O. If he is required to go outside the jurisdiction of the said Police Station in connection with any employment etc, then also he will furnish his address and other information to the S.H.O. Non-compliance with this condition shall be reported by the S.H.O. of Buniyadganj Police Station to the learned court below and steps shall be taken for cancellation of the bail of the petitioner.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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