

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35590 of 2025

Arising Out of PS. Case No.-713 Year-2023 Thana- KOILWAR District- Bhojpur

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Kunal Kumar @ Kunal Shah S/o Vijay Singh @ Vijay Shah Resident of
Village Anaith, PS Ara Nawada, Distt.Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2025 Heard Mr.Manoj Kumar, learned counsel for the

petitioner and Mr.Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Koilwar P.S.Case No.713 of 2023,FIR dated
13.12.2023 registered for the offences punishable under Section
379 of IPC.

3. The FIR of the occurrence of theft is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent. He has falsely been implicated
in the present case. Petitioner is not named in the FIR. The
name of the petitioner has been transpired during investigation
on the basis of the disclosure made by co-accused person.



5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, nothing has been recovered from conscious possession of the petitioner, petitioner is not named in the FIR and the name of the petitioner has been transpired during investigation on the basis of the disclosure made by co-accused person, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at Ara in connection with Koilwar P.S. Case No.713 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that 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/her 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.

(Rajesh Kumar Verma, J)

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