

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46497 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- Kumarbagh District- West Champaran

Kundan Pandey S/o Gaurishankar Pandey R/o Village- Lakhaura Dubaliya,
P.S.- Kumarbagh, District- West Champaran at Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Adv.

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

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

ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 24 of 2025 arising out of Kumarbag P.S. Case No. 66 of 2024 instituted for the offences under Sections 126(2), 127(2), 115(2), 109, 119(1), 308(3), 308(4), 308(5), 351(2)/3(5) of the Bhartiya Nyaya Sanhita.

3. The prosecution case, in short, is that the accused persons including the petitioner tied the hands and legs of the Informant on the way, took out a pistol, put the same in the mouth of the Informant and demanded five lakh rupees from him. They also threatened of killing if the demand is not fulfilled by him.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence at all as alleged against him in the F.I.R. rather has falsely been implicated in the present case only due to previous enmity and with a view to cause harassment. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has ten criminal antecedents but, in all of them, he is on bail and is languishing in judicial custody since 12.11.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Chand @ Chand Pandey, Navnit Kumar @ Navneet Thakur and Himanshu Singh has already been granted bail by this Court vide orders dated 28.02.2025, 28.02.2025 and 05.03.2025 passed in Cr. Misc. Nos.13735 of 2025, 13236 of 2025 & 15607 of 2025 respectively. Co-accused Ranu Singh @ Priyanshu and Deepak Kumar have also been granted bail by this Court vide orders dated 28.01.2025 and 05.02.2025 passed in Cr. Misc. No. 3212 of 2025 and 4575 of 2025 respectively.

6. On the other hand, learned A.P.P. for the State has



vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. He further submits that the petitioner has ten criminal antecedents and, hence, he does not deserve bail.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner and the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, 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 Sessions Trial No. 24 of 2025 arising out of Kumarbag P.S. Case No. 66 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.



(iii) The petitioner will not leave the territorial jurisdiction of the learned court below without its prior permission. In non-compliance of the same, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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