

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68721 of 2024

Arising Out of PS. Case No.-709 Year-2023 Thana- MANER District- Patna

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Kunal Kumar Son of Binod Rai Resident of Village- Dost Nagar, Lalbenga,
P.S.- Maner, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunit Kumar Srivastava, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 17-01-2025 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner apprehends arrest in
connection with Maner P.S. Case No.709 of 2023 registered for
the offence under Sections 147, 148, 149, 447, 307, 387, 379,
504, 506 and 120B of the Indian Penal Code and Sections 25(1-
B), 26, 35 and 27 of the Arms Act.

3. The allegation against the petitioner along
with other co-accused persons is to mining sand at Suarmarwa
Sone Ghat and also firing indiscriminately, where, there was
recovery of country made firearms and cartridges from them.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has falsely been implicated



in the present case. It is submitted that the name of the petitioner surfaced in the present case on the basis of disclosure made by other apprehended co-accused person. It is submitted that no specific allegation has been made against this petitioner and nothing has been recovered from conscious physical possession of this petitioner. It is submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.63436 of 2024 on 17.01.2025.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioner.

6. In view of the submissions, as made above and nature of allegation, as there is specific allegation against this petitioner as regard to alleged offence, as this petitioner is also involved in one another case, where, similarly situated co-accused who has granted privilege of anticipatory bail, has no criminal antecedent, this Court is not inclined to grant bail to the petitioner, at present.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

(Ramesh Chand Malviya, J)

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