

IN THE COURT OF ADDL. SESSIONS JUDGE-II DISTRICT-KATIHAR

(Crim Misc. 22/2026)

Arising out from B.P. no. 269/2026

In the matter of

1.Kunal Kumar, aged about- 20 years, S/o Rishikesh Sah
R/o- Mohalla- Ramsabha, Gaushala, P.S.- Sahayak, Distt.- Katihar

-----Accused/Petitioner.

Vs

State of Bihar-----Opposite Party.

Katihar Rail P.S. case No.-225/2025

U/S- 303 (2), 317 (5) of B.N.S.

Learned Advocate for Petitioner- Shri Awadhesh Kumar

Learned A.P.P. for the State- Shri Md. Ajaz Alam

ORDER

21.05.2026- This instant Crim. Misc. petition has been filed on the behalf of custody accused namely Kunal Kumar who is in custody since 24.10.2025 in connection with Katihar Rail P.S. Case No. 225/2025 instituted U/S- 303 (2), 317 (5) of B.N.S.

Heard the learned counsel Shri Awadhesh Kumar appearing on behalf of the petitioner and learned A.P.P. Shri Md. Ajaz Alam appearing on behalf of the State and perused the lower court record along with case diary.

Ld. Counsel for the petitioner has submitted that petitioner was granted bail by this court vide order passed in B.P. no. 269/2026 but petition is poor person belongs to an under privilege background and has no close relative or person who are in a financial position to stand as surety for said amount. Despite earnest efforts the petitioner has not been able to arrange surety due to his impoverished and lack of social support. Accordingly, it has been prayed to modify the bail condition as imposed in order dated 28.03.2026. Accordingly, prayer has been made to allow the Misc. Crim. petition.

Per contra, learned A.P.P. appearing for the state has submitted that in such circumstances there is no need to modify the condition imposed by order dated 28.03.2026 passed in B.P. 269/2026, rather accused-petitioner may be released on personal bond for some limited period and after releasing from the jail custody he may be directed to furnish the bail bonds as per order dated 28.03.2026 passed in B.P. no. 269/2026.

Heard the both parties at length and perused the entire case record alongwith case dairy. From perusal of the case record it is evident that, by order dated passed in B.P. no.

269/2026 accused-petitioner was granted bail and it was ordered to release the accused-petitioner namely Kunal Kumar on bail on furnishing of bail bond of Rs. 10,000 with two sureties of the like amount each to the satisfaction of the court. But from record as well as from the submission as made by Id. Counsel for the petitioner it is quite clear that due to poverty as well as some other reason petitioner is not in condition to furnish the bail bond as per direction of this court. So, having consideration the above facts instant Misc. Crim. Petition is hereby allowed and it is ordered that accused-petitioner be released on bail on furnishing of personal bond of Rs. 20,000/-. Further, petitioner namely Kunal Kumar is directed to furnish the bail bonds within 21 days after releasing from jail custody, before concerned Id. Court as per direction imposed by order dated 28.03.2026.

**Addl. Sessions Judge-II
Katihar**

**Memo No..... Dated.....
Copy forwarded to the concerned court, Katihar.**

**Addl. Sessions Judge-II
Katihar**