

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30281 of 2014

Arising Out of PS.Case No. -81 Year- 2014 Thana -BARAHIYA District- LAKHISARAI

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1. Gautam Kumar Son of Ramlagan Paswan Resident of Jaitpur, P.S.-
Barahiya, District- Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr. Shailendra Kr.-II(APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 23-03-2015 Heard learned counsel for the petitioner as well as
learned APP for the State.

On getting confidential information regarding assemblage of anti-social elements, a raid was conducted and during course thereof, four persons were apprehended namely, Bandan Kumar @ Kismat, Pintu Kumar, Bhushan Kumar @ Raushan and Rahul Kumar. It has also been disclosed that on account of inculpatory extra-judicial confessional statement of co-accused, name of petitioner transpired and that happens to be the sole ground over which much stress has been given by the learned counsel for the petitioner, justifying the plea of grant of anticipatory bail coupled with the fact that petitioner lacks criminal antecedents.

In the aforesaid background, petitioner is well advised

to surrender before the learned lower court with a prayer for regular bail, which the learned lower court will consider favourably taking into account the fact that petitioner was not apprehended on the spot, nothing incriminating has been recovered from his possession as well as his name transpired on account of inculpatory extra-judicial confessional statement of a co-accused including absence of criminal antecedents. Apart from the fact that apprehended co-accused are already enjoying the privilege of regular bail.

With the aforesaid observation, the instant petition is disposed of.

(Aditya Kumar Trivedi, J)

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