

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20093 of 2016

Arising Out of PS.Case No. -52 Year- 2015 Thana -ASARGANJ District- MUNGER

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1. Pinku Upadhyay @ Sachidanand Upadhyay @ Baba Son of Ashok Upadhyay Resident of village - Asarganj (Jalalabad) P.S. Asarganj, Distt. - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-05-2016

Heard learned counsel for the petitioner and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Section 395 of the Indian Penal Code.

The prosecution case is that the informant being the employee of the composite liquor shop of Piyush Kumar was on the shop on 12.07.2015 at 7.45 P.M., when four persons came on motorcycle and on the gun point took away Rs. 25,000/- from the shop of the informant. One of the apprehended miscreants disclosed his name as Bambam Kumar Tanti, who disclosed the name of those miscreants who escaped from the scene as Loha Bind and Pankaj Bind. It was also disclosed by the apprehended accused person that

incident was orchestrated at the behest of the petitioner.

It is submitted by the learned counsel for the petitioner that except the confession of apprehended accused, there is nothing on record to implicate the petitioner. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Asarganj P.S. Case No. 52 of 2015, pending in the court of learned Sri Amit Kumar Sharma, J.M., Ist Class, Munger.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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