

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40241 of 2016

Arising Out of PS.Case No. -706 Year- 2015 Thana -DANAPUR District- PATNA

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1. Vidhan Rai S/o - Bijendra Rai @ Bijay Rai @ Bijendra R/o Saguna
Gandhi Murti, P.S. - Danapur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 18-11-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is not named in the first information report but he was arrested in connection with Danapur P.S.Case No. 716 of 2015 and in that case, he made his confessional statement disclosing his involvement in the present case. It is alleged that on the basis of confessional statement of petitioner, the motorcycle of deceased as well as firearms, used in the present crime, were recovered from abandoned government quarter.

Submission on behalf of the petitioner is that in the present case, the confessional statement of the petitioner has not been recorded and even if it is assumed that the confessional statement of the petitioner was recorded in Danapur P.S.Case No.

716 of 2015, then also, except the aforesaid confessional statement, there appears to be nothing against the petitioner because the so called recovery has not been made from conscious possession of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, and also taking note of this fact that investigation against the petitioner has already been completed, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Danapur in connection with Danapur P.S.Case No. 706 of 2015.

(Hemant Kumar Srivastava, J)

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