

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42388 of 2016

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1. Bunty Kumar Son of Parmeshwar Prasad Gupta Resident of Banwari Chowk, Police Station Sultanganj, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-11-2016 Heard learned counsel for the petitioner and the learned
counsel appearing for the State.

The petitioner is in custody since 03.08.2016 in connection with Rajiv Nagar P.S.Case No. 165 of 2016 registered under Sections 379, 328 and 411 of the Indian Penal Code.

The case diary has been called for which has since been received.

Learned counsel for the petitioner submits that the petitioner has been named in the FIR on the basis of the statement made by one Sunil Sharma, who is said to be the driver of e-rickshaw as it was allegedly taken away by three unknown miscreants. It is further submitted that Sunil Sharma, who was driving e- rickshaw, so recovered, has named the present petitioner and stated that he had taken e- rickshaw on rent from one Bunty,

the present petitioner.

Considering the facts and circumstances of the case and since the petitioner's name has come in the confessional statement of co-accused made before he police which has no evidentiary value and since there is no cogent material in the case diary to support the allegation, let above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sushree Kshiprachala Anjali, learned Judicial Magistrate, 1st Class, Patna in connection with Rajiv Nagar P.S.Case No. 165 of 2016.

(Anjana Mishra, J)

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