

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7509 of 2016

Arising Out of PS.Case No. -788 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Gautam Kumar Son of Dashrath Prasad Resident of Village- Bhawanipur,
Jirat, Motihari, P.s Chatouni, dist East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kaushik

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 09-03-2016 Heard learned Counsel for the petitioner and the

learned Additional Public Prosecution, appearing on behalf
of the State.

Learned Counsel for the petitioner submits that
the petitioner has not been named in the First Information
Report. According to the case of the prosecution, a Hero
Honda motorcycle was stolen and in course of investigation,
one Md. Imram confessed the offence and named one Sonu
Kumar and the present petitioner, Gautam Kumar, to be
involved in the commission of the offence.

Learned Counsel for the petitioner has
submitted that over and above the said confessional
statement of the co-accused, there is no material against
the petitioner. He further submits that the petitioner is only

19 years of age and there is a marriage in his family.

Considering the gravity of offence and nature of accusation, I am not inclined to grant the petitioner privilege of anticipatory bail, as his custodial interrogation may be warranted.

The petitioner is accordingly directed to surrender before the Court below within a period of six weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

It is also expected that the Court below shall consider the fact that the said Md. Imran had been granted regular bail; while considering the petitioner's application for regular bail.

It is indicated that during the period of six weeks from today, no coercive steps shall be taken against the petitioner to take him in custody in connection with Nagar (Motihari City) Police Station Case No. 788 of 2015.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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