

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18670 of 2017

Arising Out of PS.Case No. -279 Year- 2016 Thana -MINAPUR District- MUZAFFARPUR

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1. Rakesh Kumar @ Navin @ Golu, S/o Suresh Sah @ Suraj Sah, resident of Mohalla- Rasulpur Wazid, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-05-2017 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Minapur P.S. Case No. 279 of 2016 registered for the offences punishable under Sections 394 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is not named in the F.I.R. and from perusal of the impugned order, it appears that his name has transpired in the confessional statement of co-accused Vivek Kumar @ Bittu and the petitioner has confessed his guilt also.

Submission is that, except confessional statement of the petitioner there is no other material against the petitioner. The petitioner has got only one case besides this case and he is in



custody since 08.12.2016 whereas, co-accused Dharmendra Kumar @ Morabba has been allowed bail vide Criminal Miscellaneous No. 17113 of 2017.

The learned A.P.P. opposes the prayer of bail by submitting that the name of the petitioner has transpired in the confessional statement of co-accused and further he has confessed his guilt also.

In the facts and circumstances stated above, the above named petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur in connection with Minapur P.S. Case No. 279 of 2016 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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