

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42214 of 2017

Arising Out of PS.Case No. -211 Year- 2017 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Gulshan Kumar @ Keshav Kumar Son of Bhagat Singh @ Ram Vinod
Singh, R/o Village- Ramdiri Nakti Tola, P.S.- Matihani, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 22-09-2017 Learned counsel for the petitioner is permitted to make

correction at para-9 of the application stating the period of custody

which is 22.06.2017 as stated by the petitioner.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in connection with Begusarai

Town P.S. Case No. 211 of 2017 for offences punishable under

Sections 109/115/120(B) of the Indian Penal Code.

The prosecution case, as lodged by the police

personnel, is that on information that one Chandan Kumar who is

accused in Begusarai (Ratanpur) P.S. Case No. 168 of 2017 is

planning to commit loot in the vehicle of CMS Company which

provides cash in ATM. On the basis of mobile location one



accused Saurabh Kumar was taken into custody who confessed the name of the petitioner along with others involved in commission of such offence. The mobile was recovered from the co-accused Saurabh Kumar and accordingly, the seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and was an accused in Matihani P.S. Case No. 123 of 2016 in which he has been acquitted and apart from that he has no other criminal antecedent. He submits that confessional statement of accused Saurabh Kumar before the police has no evidentiary value in the eye of law and nothing has been recovered from his conscious possession and that he is languishing in judicial custody since 22.06.2017. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that on the alleged day he was in custody in another case.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Begusarai



Town P.S. Case No. 211 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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