

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53823 of 2017

Arising Out of PS.Case No. -192 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Akash Kumar Gupta @ Akash Kr. Gupta, Son of Pradeep Kumar Gupta,
Resident of Mohalla – Kamalnath Nagar, Police Station – Bettiah Town,
District-West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sugauli P.S. Case No.
192 of 2017 registered under Sections 413, 414 and 420 of the
Indian Penal Code.

A looted motorcycle and instrument meant for
breaking the lock of the motorcycle are said to have been
recovered from the possession of the petitioner as well as accused
Sachin Kumar.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner rather it was
recovered from the possession of Sachin Kumar. Said Sachin



Kumar has confessed his guilt in the occurrence naming the petitioner also in the occurrence, but said confessional statement recorded by police has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 13.06.2017.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Sugauli P.S. Case No. 192 of 2017.

(Prakash Chandra Jaiswal, J)

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