

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 56532 of 2017

Arising Out of PS. Case No.-101 Year-2017 Thana- Kako District- Jehanabad

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Gautam Sharma Son of Sri Mithilesh Sharma resident of village Barki Bera,
P.S. Masaurhi, District Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rohit Mishra

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 04-12-2017 Heard Sri Rohit Mishra, learned counsel for the
petitioner and Sri Uday Pratap Singh, learned Addl. Public
Prosecutor.

The sole petitioner, who is in custody since 04-10-2017 in
Kako P.S. Case No. 101 of 2017 registered for offence under
Sections 399, 402, 353 of the Indian Penal Code, Sections 25(1-
b)A, 26, 35 of the Arms Act, 1959 and Section 30(A) of the
Bihar Prohibition and Excise Act, 2016, has prayed for grant of
bail, purely on the ground that the accused persons, who were
apprehended and disclosed the name of petitioner before the
police, have already been granted bail.

Learned counsel for the petitioner has drawn my attention
to Annexure – 3 series i.e. order dated 01-08-2017 in Cr. Misc.
No. 35465 of 2017, order dated 03-08-2017 in Cr. Misc. No.



34910 of 2017 and order dated 19-08-2017 passed in Cr. Misc. No. 36382 of 2017, whereby co-accused Abhay Kumar Sharma @ Mantu Sharma, Niti Paswan and Pawan Kumar respectively have been granted bail. He submits that save and except confessional statement of co-accused, there is no other material to connect the petitioner in the present case.

Considering the fact that the accused persons, on whose confession the petitioner has been made accused, have already been granted bail, there is no reason to further detain the petitioner.

Accordingly, let the petitioner namely Gautam Sharma 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 Additional Sessions Judge II-cum Special Judge, Excise Act, Jehanabad in connection with Kako P.S. Case No. 101 of 2017.

(Rakesh Kumar, J.)

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