

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19785 of 2017

Arising Out of PS.Case No. -296 Year- 2016 Thana -PARWATTA District- KHAGARIA

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1. Gulshan Kumar @ Kare Son of Ramjee Mahto resident of Village -
Manjhaul, P.S. - Cheria Bariyarpur, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Sri Binod Kumar 3, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-06-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 20.12.2016 in connection with Parbatta P.S. Case No. 296 of 2016 corresponding to G.R. No. 2678 of 2016 in a case registered for offences punishable under Section 364 (A) of the Indian Penal Code.

The prosecution case as lodged by the informant is that the culprits have kidnapped the brother of the informant and they demanded extortion of money and also threatened to the informant.

It has been submitted by the learned counsel for the petitioner that he is innocent and his name surfaced only in the confessional statement of co-accused Guddu Singh. The confessional statement of the petitioner was also taken under pressure. It has further been submitted that the petitioner is the



drive of the vehicle in question, which was used for kidnapping, as alleged and neither anything incriminating nor fire arms has been found from the possession of the petitioner. He further submits that charge sheet has been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner was accomplice to the said co-accused and has admitted his guilt, hence, opposes the prayer for bail.

Considering the facts and circumstance of the case and materials on record, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Khagaria in connection with Parbatta P.S. Case No. 296 of 2016 corresponding to G.R. No. 2678 of 2016 subject to the condition that the petitioner is directed to appear before the Court on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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