

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25686 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -RANIYATALAB District- PATNA

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Amitabh @ Amitabh Kumar @ Abitabh Kumar, Son of Ajay Kumar
Pathak, Resident of Gultera Bazar Bihita, P.S. Bihita, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

3 14-06-2017 Heard Sri Gopal Gobind Mishra, learned counsel for

the petitioner and Sri Parmanand Kumar, learned A.P.P. for the

State.

The petitioner is seeking regular bail in connection
with Spl. Case No. 128 of 2017 (Rani Talab P.S. Case No. 58 of
2017) for offence registered under Sections 273 and 290 of Indian
Penal Code and Section 47 and 57 of the Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a student of Bachelor of Business Management in
Magadh University, Bodh Gaya and his name has transpired in
the confessional statement of the co-accused Kishlay. There is no
seizure either from his possession or from his conscious
possession and the Scorpio vehicle about which the allegations is
there, the petitioner has no concerned with the same. He has filed



a Supplementary Affidavit stating that the said Scorpio from where the alleged recovery has been made is neither registered in his name nor in the name of any other family members. The petitioner is in custody since 23.04.2017.

Learned A.P.P. opposed the prayer for bail.

Considering the facts and circumstances of the case particularly that the petitioner is a student having no criminal antecedent and no recovery has been made from him, let the petitioner, on completion of two months in custody, be released on bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-IV, Patna in connection with Spl. Case No. 128 of 2017 (Rani Talab P.S. Case No. 58 of 2017, subject to the condition under Section 437 (3) Cr.P.C. and that the petitioner shall cooperate in the trial.

(Rajeev Ranjan Prasad, J)

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