

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49007 of 2016

Arising Out of PS.Case No. -99 Year- 2016 Thana -KALYANPUR District- SAMASTIPUR

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1. Pankaj Kumar, son of Suryadev Mahto, resident of Village Chandopatti Rudauti, P.S. Muffasil, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh -Advocate

For the Opposite Party/s : Mr. Sri Akbar Ali-A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 19-01-2017

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

Informant, a gold-smith while was in a way to his house over motorcycle having ornaments in his dickey, was intercepted by the criminals and on the pretext of firearm, the miscreants succeeded in snatching of motorcycle as well as ornaments.

Learned counsel for the petitioner has submitted that inculpatory extra-judicial confessional statement of co-accused, name of petitioner transpired. It has also been submitted that on that very basis, other co-accused have already been granted bail. So, petitioner should also be granted bail.

On the other hand, learned Additional Public



Prosecutor opposed the prayer.

From perusal of the case diary, it is evident that petitioner is not correct in his submission. At the time of conduction of raid at the place of petitioner as disclosed by co-accused, petitioner was apprehended along with Rs.7,000/- as well as mobile, which was used in having surveillance against the informant over his movement at the time of occurrence. Furthermore, it is also evident that petitioner was taken on police remand from the Court along with co-accused Birju Sahani and during course thereof, booty were recovered at their instance.

Consequent thereupon, prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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