

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40675 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -BANMANKHI District- PURNIA

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1. Md. Gufran Son of Md. Niyamuddin @ Naimuddin, R/o Rani Patti-
Ward No.8, P.S.- Kumarkhand, (Belari O.P.), District- Madhepra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.N.K. Agrawal, Sr. Advocate
Mr. Dr. Bidhu Ranjan

For the Informant : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-09-2017 Heard learned Senior Counsel for the petitioner and learned
Additional Public Prosecutor for the State as well as learned
counsel for the informant.

The petitioner is in custody since 15.04.2017 in connection
with a case registered for the offences punishable under Sections
302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned Senior Counsel for the petitioner submits that
admittedly, the informant has not named the petitioner in the First
Information Report. It is only in supplementary case diary that on
the basis of a confessional statement made by co-accused before
the police, the petitioner's name has surfaced. It is well settled
that such confessional statement cannot be used against the
petitioner especially if made by co-accused. It is also submitted



by learned Senior Counsel appearing on behalf of the petitioner that the petitioner has no criminal antecedent. Furthermore, several of the accused persons have since been extended the privilege of regular bail by this Court vide order dated 31.07.2017, 11.08.2017 and 19.08.2017 passed in Cr. Misc. No. 31073 of 2017, Cr. Misc. No. 29587 of 2017 and Cr. Misc. No. 39237 of 2017 respectively.

In view of the aforementioned facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Purnia, in connection with Banmankhi P.S. Case No. 18 of 2017.

(Anjana Mishra, J)

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