

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59256 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -SAHPUR District- PATNA

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1. BIRENDRA KUMAR SHARMA S/o Late Jagdish Prasad Sharma R/o
Sultanpur, Sanichara Asthan, P.S. Danapur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Shahpur P.S.Case No. 19 of 2017 registered under Sections
420, 467, 468, 471/34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the petitioner is neither named in the FIR nor any
incriminating article was recovered from his house or his
possession. He submitted that without there being any basis the
police have obtained warrant of arrest against the petitioner merely
on the basis of confessional statement made by co-accused Munna
Kumar, who had also named Devale Pandharinath S. @ Devley @
Devli Pandari Nath Shankar and Shekhar Suresh Magadum @



Shekhar Suresh Magadug @ Shekhar @ Sokande in his confessional statement, who were granted pre-arrest bail by a coordinate Bench of this Court by order dated 01.07.2017 passed in Cr.Misc. No. 24101 of 2017.

Considering the nature of allegation and the submissions made above, in the event of arrest or surrender before the court below within four weeks from today, the petitioner named above is directed to 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 learned A.C.J.M., Danapur in connection with Shahpur P.S.Case No. 19 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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