

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44082 of 2017

Arising Out of PS.Case No. -416 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

- =====
1. MANOJ KUMAR GUPTA @ MANOJ GUPTA Son of Late Rajendra Prasad Gupta Resident of Village-Khurmabad, P.S. Chenari, District-Rohtas
 2. Arvind Singh @ Munna Singh Son of Ram Kewal Singh Resident of Village-Karma Kudara P.S. Kudra District-Kaimur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey

For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 20-09-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the state.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Mohania P.S. Case No. 416 of 2017 for the offences punishable under sections 418, 419, 420, 384 and 34 of the I.P.C.

Allegedly, Manoj Kumar Singh and the driver Mustak Ansari were apprehended when they were returning after passing over loaded truck and thereafter they confessed their guilt and stated the names of his associates including the petitioners.

Submission is of false implication and that besides



confessional statement of the co-accused there is no legal material against the petitioners, they were never seen by any one in passing the truck, the alleged confessional statement made before the police has got no evidentiary value in the eye of law and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer for pre-arrest bail of the petitioners.

In the facts and circumstances stated above, considering that besides confessional statement there is no other legal material against the petitioners and as such the petitioners, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M, Kaimur at Bhabua in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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