

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9681 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -LODIPUR District- BHAGALPUR

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1. Gourav Kumar @ Gouri son of Pramod Singh @ Pramod Mandal At +
P.O. Pakra, Police Station - Naugachia, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This is an application for grant of bail in connection
with Lodipur P.S. Case No.8 of 2017 registered under Section
364A/34 of the Indian Penal Code.

The FIR has been registered against two named
persons including some unknown persons.

It appears that co-accused Khagesh Kumar @
Khagesh Kumar Singh has been granted bail by the same
Presiding Officer of the Court of learned 2nd Additional Sessions
Judge-cum-Special Judge, Bhagalpur in B.P. No.1188 of 2017 on
19.09.2017, co-accused Toni Sharma @ Ajit Kumar, who is not
named in the FIR has been granted bail in B.P.No.1122 of 2017 on



06.09.2017 and co-accused Dewanand Singh @ Davo has been granted bail in B.P. No.1116 of 2017 on 08.09.2017.

The case of the petitioner Gourav Kumar @ Gouri has been distinguished only on the ground that petitioner has confessed before the police while in police custody regarding his involvement and involvement of other co-accused and he was arrested on the information of co-villager on the basis of the location of his mobile.

Considering the fact that there is no substantial material against the petitioner especially the fact that confession before the police is not admissible in evidence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Lodipur P.S. Case No.8 of 2017, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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