

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39041 of 2018

Arising Out of PS. Case No.-212 Year-2017 Thana- KONCH District- Gaya

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Gautam Kumar, son fo Arun Yadav, resident of village- Mangraur, P.S.-
Konch and District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 02-08-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Konch P.S.Case No. 212 of 2017 registered under Sections 395 and 397 of the Indian penal Code.

Allegation in brief is that while the informant was returning back after collecting money of Rs. 3 lacs along with FIR named accused Umesh Mistry, on the way, intercepted by some miscreants and robbed his money and mobile. It is alleged that Umesh Mistry and others are also involved in the occurrence. Later on, on the disclosure of the name by Umesh Mistry, petitioner has been made accused in this case. The informant was assaulted and robbed by Umesh Mistry and others.

Submission is that petitioner is not named in the FIR



rather his name transpired on the basis of confessional statement of Umesh Mistry and the informant stated that his money was robbed by Umesh Mistry and Rahul Kumar but there is no recovery of money or any other incriminating article from the possession of the petitioner rather money was recovered from the Surendra Bahadur and motorcycle recovered from Rahul Kumar. Moreover, petitioner was also not put on TIP and chargesheet was submitted against him though he has clean antecedent and has been falsely implicated by Umesh Mistry, a co-villager of the petitioner.

Having considered the aforesaid facts and circumstances, the petitioner, namely, Gautam Kumar, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Gaya in connection with Konch P.S. Case No. 212 of 2017.

(Arun Kumar, J)

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