

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22260 of 2018

Arising Out of PS.Case No. -52 Year- 2017 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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1. Akash Kumar Gupta, son of Praddep Kumar Gupta, resident of Village-
Kamal Nath Nagar, Police Station- Bettiah Town, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 11-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 26.07.2017
in connection with Balthar P.S. Case No. 52/2017 registered for
the offences punishable under Sections 396 of the Indian Penal
Code and 27 of the Arms Act.

Learned counsel for the petitioner submits that
admittedly the case is against unknown persons and on the basis of
the confessional statement made before the police, the petitioner
was taken into custody on suspicion and since thereafter, he was
made to confess his own guilt. It was further submitted that even
in the confessional statement made by the co-accused, the
petitioner's name does not figure and he has been languishing in
custody for no fault of his own.



Diary in the present case was called for which has since been received.

Having heard learned counsel for the petitioner and learned counsel appearing on behalf of the State and there being no further cogent material in the case diary to implicate the present petitioner, 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 Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Balthar P.S. Case No. 52/2017, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if



not already concluded, and make himself available as
and when so required and in case of failure, the State
shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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