

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11907 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- NAUBATPUR District- Patna

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DINESH KUMAR S/o Ravindra Nath Singh Resident of Village Bada, P.S. -
Naubatpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 399/402/414 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

Four persons were apprehended on suspicion that they were preparing to commit dacoity. On the disclosure statement of the arrested accused name of the petitioner surfaced.

Submission is that besides confession before the police while in police custody by a co-accused there is no other material and the aforesaid material is inadmissible in evidence under Sections 25 and 26 of the Evidence Act.

Finding substance in the submission aforesaid, 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 Naubatpur P.S. Case No.37 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) 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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