

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58752 of 2021**

Arising Out of PS. Case No.-49 Year-2021 Thana- PHULWARIA District- Begusarai

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GULSHAN KUMAR @ GULSAN KUMAR Son of Amlesh Kumar @
Amlesh Singh @ Amlesh Kumar Singh Resident of Village - Madhurapur
(Bichla Tola), ward No.21, P.S.- Teghra, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 11-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 386 and 34 of the Indian Penal Code.

As per the prosecution case, three accused persons on the point of pistol are stated to have robbed the informant of the articles mentioned in the FIR. It is further stated that they assaulted the informant with the butt of a pistol.

It is submitted by learned counsel for the petitioner that the FIR was registered against three unknown. Referring to the material that has transpired in course of investigation as also the order of the learned Court below it is submitted that the prosecution is mainly relying on the accused persons having



been identified by a spy in the CCTV footage together with the confession of co-accused Bikesh Kumar made before police. Contrary to the allegation no incriminating article has been recovered from the petitioner's possession who is in custody since 26.7.2021 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, charge sheet having been submitted in the case and the petitioner having remained in custody for more than 6 months, the Court directs the petitioner to be enlarged on bail in connection with Phulwariya P.S. Case no. 49 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Begusarai.

(Partha Sarthy, J)

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