

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20300 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- KASHICHAK District- Nawada

SANDIP KUMAR @ GABBAR Son of Chandrika Paswan Resident of
Village-Bahadurpur, Police Station-Kasar, District-Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 04-04-2024 Heard Mr. Birendra Kumar, learned counsel appearing

on behalf of the petitioner and Mr. Gauri Shankar Gupta,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kashichak P.S. Case No. 330 of 2023 registered for the
offence(s) punishable under Sections 364 and 365 of the Indian
Penal Code.

3. As per the allegation made in the FIR, informant
came to know from the footage of CCTV camera that four
unknown persons have forcibly abducted his *Munshi*.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is not named in the FIR and
his name has surfaced in this case on the basis of confessional
statement of co-accused Tripurari Kumar and confessional
statement made before police has no evidentiary value.



Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submits that though the petitioner is not named in the FIR, as FIR is against unknown, but during course of investigation, his name came into light, as all accused persons, who were arrested, had disclosed his name as one of their accomplices in the said offence.

6. Considering the aforesaid submission made on behalf of the parties, the petitioner, if so advised, may surrender before the District Court and seek regular bail. In case, the District Court, after obtaining the CCTV footage, finds that the petitioner was present at the time of alleged incident, then in that case, the District Court is directed to consider the bail application of the petitioner on the same day, considering the fact that name of the petitioner has surfaced in this case on the basis of co-accused Tirpurai Kumar, and pass necessary order on the basis of material which has come in course of investigation.

7. The present petition stands disposed of.

(Purnendu Singh, J)

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