

Dharmendra Kumar Vs. the State of Bihar

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Court : Patna

Decided On : May-24-2012

Appellant : Dharmendra Kumar

Respondent : The State of Bihar

Judgement :

Patna High Court Cr.Misc. No.3573 of 2012 (2) dt.24-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.3573 of 2012

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Dharmendra Kumar Petitioner/s Versus The State Of Bihar Opposite Party/s

Appearance : For the Petitioner : Mr. Amrendra Kumar, Advocate. For the State :

Mr. Arun Kumar Singh No.5, A.P.P.

===== CORAM:

HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI ORAL ORDER (Per:

HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

24. 01.2012 Heard learned counsel for the petitioner as well as learned A.P.P. S.I., Subhash Bhaidyanathan recorded his own fardbeyan disclosing therein that during course of patrolling he came to know regarding assemblage of criminals at Jai Maa Tara Hotel along with Bolero jeep bearing Registration No. JH 04.1272 and are planning for commission of an offence. Accordingly, raid was conducted. Four persons who were seen inside the vehicle, succeeded in their escape, however on search, country made loaded pistol (two) along with other items as per seizure list

was recovered from there. Contention on behalf of the petitioner is that petitioner is not named in the FIR nay during course of investigation, police had tried to ascertain identity of the petitioner. Even in worst case, accepting the prosecution case as it stands, the name of the petitioner came out by way of Patna High Court Cr.Misc. No.3573 of 2012 (2) dt.24-01-2012 extra judicial confessional statement of co-accused, Amit Mandal who had already been granted bail vide Cr. Misc. No.42291 of 2011. In the facts and circumstances of the case, petitioner, Dharmendra Kumar is directed to 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 A.C.J.M., Naugachia at Bhagalpur in connection with Birpur (Jhandapur) P.S. Case No.338 of 2011 G.R. No.1194 of 2011. (Aditya Kumar Trivedi, J.) PN

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