

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48578 of 2015

Arising Out of PS.Case No. -107 Year- 2015 Thana -MAHNAR District- VAISHALI(HAJIPUR)

1. Vijendra Paswan @ Bijendra Paswan Son of Jawahar Paswan Resident
of village - Madhurapur, P.S. Bidupur, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Madhuranand Jha (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-12-2015

Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offence
punishable under section 395 of the I.P.C

Allegedly, 4 to 8 unknown miscreants committed
dacoity in the shop of the informant, tried to kill the informant
when the staff Sudhir Barnwal protested them from committing
dacoity and in that process they took away cash of Rs. 2,50,000/-
which was the sale amount and further snatched gold chain and
Hanumani from the informant at the point of katta. In C.C.T.V.
Camera the crime has been recorded and they have taken away the
mobile of the informant also.

Submission is of false implication and that the
petitioner is not named in the FIR. He is in custody since

02.06.2015 but has not been put on test identification parade. Nothing has been recovered from his conscious possession, no one has seen the petitioner and only on the information furnished by the spy he has been remanded in this case. The police forcibly has got recorded the confessional statement which has got no evidentiary value in the eye of law. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. after going through the case diary submits that the petitioner has confessed his guilt.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Vaishali at Hajipur in Mahnar P.S. Case No. 107 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--