

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46133 of 2014

Arising Out of PS.Case No. -6 Year- 2014 Thana -KUCHILA District- BHABHUA (KAIMUR)

1. Nand Kishore Singh Yadav @ Nand Kishroe Singh Son of Shankar Dayal Yadav resident of village - Karwar, P.S. Sirhi (Kargahar), District - Rohtas, at Sasaram

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Khurshid Anwar (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner is in custody since 18.06.2014 in connection with Kuchhila P.S. Case No. 06 of 2014 for the offence registered under Sections 394, 302, 201/34 of the Indian Penal Code.

The allegation against the petitioner is that the tower indicated that at the time of occurrence, the mobile of the petitioner was found where the dead body of the deceased was recovered.

It is submitted on behalf of the petitioner that he was in custody on 21.05.2014 in connection with Kuchhila P.S. Case No. 10 of 2014 under the Arms Act. While he was in custody in connection with the said case, the petitioner was remanded in connection with the present case on the confessional statement made by one co-accused namely Nazim Shah @

Guddu shah, who is said to have made confessional statement indicating the name of the petitioner. It is further submitted that save and except the aforementioned confessional statement made in paragraph -213 of the case diary, there is no other cogent material on record so as to connect the petitioner with the present case. It is further submitted that apart from this case and a case registered under the Arms Act, he has no other criminal antecedent and for no fault of his own merely on the basis of the confessional statement which is inadmissible in evidence, the petitioner is languishing in jail since 18.06.2014.

Considering the aforesaid submissions and also the period of custody, let the petitioner, above named 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 Judicial Magistrate, 1st Class, Kaimur at Bhabua in connection with Kuchhila P.S. Case No. 06 of 2014.

(Anjana Mishra, J)

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