

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39031 of 2015

Arising Out of PS.Case No. -593 Year- 2014 Thana -DALSINGHSARAI District- SAMASTIPUR

=====

1. Vivek Kumar @ Vivek Kumar Singh S/o Ram Jyoti Singh R/o Village Ballochak, P.S. Dalsingsarai, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh

For the Opposite Party/s : Mr. Dr. M.K.Gautam(App)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-09-2015

Heard Sri. Shambhu Sharan Singh, learned counsel

for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Dalsing Sarai P.S. Case No. 593 of 2014 registered for the offences punishable under Sections 363, 302 and 201 of the Indian Penal Code.

The prosecution case as it appears from perusal of the written application of the informant is that on 25.12.2014 informant's son Chandan kumar aged about 7 years was playing alongwith other children. In the meantime, a dog attacked on a kid of she-goat of Parmeshwar Singh then the children started to flee away to their respective house except informant's son Chandan Kumar. On search he came to know that his son was seen at Gangara Village in Sarairanjan Police Station and he rushed there where it was disclosed that he was not his son.

It has been submitted by the learned counsel for the petitioner that petitioner has no criminal antecedent and he is not named in the First Information Report and it is only on the confessional statement of one co-accused Manjeet Kumar that his name has surfaced. It appears that there is some previous enmity between the petitioner and the informant for which some cases are also pending where both the petitioner and informant have implicated each other

Be that as it may, confessional statement of co-accused having no evidentiary value in the eye of law, let the petitioner, namely, Vivek Kumar @ Vivek Kumar Singh in the event of his arrest or surrender within a period of four weeks from today before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Dalsingsarai, Samastipur in connection with Dalsingsarai P.S. Case No. 593 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

sushma/-

U			
---	--	--	--