

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48023 of 2015

Arising Out of PS.Case No. -172 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

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Rajesh Paswan, Son of Jhaman Paswan, R/O- Village- Lilo, P/S.- Tisiauta,
District- Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-10-2015 Heard Mr. Alok Kumar Alok, learned counsel for

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

The petitioner apprehends his arrest in connection
with Sakra P.S. Case No. 172 of 2015 registered for the offences
punishable under Sections 363 and 364/34 of the Indian Penal
Code.

The prosecution case is that on 04.05.2015, the
marriage of the sister-in-law of the informant was being performed
from his house in which the relative of the informant namely,
Mahendra Paswasn along with his wife namely, Ramkaliya Devi
had been invited to attend the function. It has further been alleged
that in the night at about 11-12 O'clock the said Mahendra
Paswan, Ramkaliya Devi along with their associates kidnapped the

three months old son of the informant who has not yet been recovered.

Learned counsel for the petitioner has submitted that he is innocent and has no criminal history as is evident from paragraph 3 of the petition. He has further submitted that it was mainly on the basis of the confessional statement of one Mahendra Paswan and his wife Ramkaliya Devi that the name of the petitioner surfaced. A confessional statement of a co-accused has no evidentiary value in the eye of law.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender within a period of six weeks from today before the Court below be enlarged 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 Chief Judicial Magistrate, Muzaffarpur in connection with Sakra P.S. Case No. 172 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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