

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4049 of 2016

Arising Out of PS.Case No. -175 Year- 2015 Thana -BARGANIA District- SITAMARHI

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Saroj Kumar S/o Bechu Paswan R/o Village- Dumarwana Ward No.-20,
P.S.- Bairagania, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K. Advocate.

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 18-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bairagania
P.S. Case No. 175 of 2015 registered for the offences punishable
under Sections 392/411 of the Indian Penal Code.

Allegedly, one miscreant sat in the tempo near the
informant and his associates and as soon as the tempo arrived at
Dakua bridge, that person started snatching the bag wherein an
amount of Rs. 50,000/- was kept and on protest two motorcycle
borne criminals came there and caused threats and thereafter, the
boy took out Rs. 50,000 from the bag and threw the bag and was
trying to ride motorcycle but due to arrival of police, three
miscreants were caught and from possession of the petitioner

looted amount of Rs. 50,000/- was recovered.

Submission is of false implication and that the petitioner has been made victim of the circumstances, nothing has been recovered from his conscious possession and the police after adopting third degree method got his signature, the confessional statement of the petitioner recorded by the police has got no evidentiary value in the eye of law. Co-accused Suraj Kumar has been alloed bail by court below itself.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the alleged recovery from possession of the petitioner at this stage, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

However, the petitioner may renew his prayer for bail after remaining one year in custody from the date of his remand.

(Jitendra Mohan Sharma, J)

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