

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9432 of 2016

Arising Out of PS.Case No. -314 Year- 2015 Thana -AGAMKUAN District- PATNA

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Ranjit Kumar @ Ajit Kumar @ Himanshu, son of Mukul Prasad aged about 45 years, resident of Tiwari Bigha, Rafiganj, P.S.- Rafiganj, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Veena Rani Pd., APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 29-02-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is in judicial custody since 12.12.2015 in connection with Agamkuan P.S. Case No. 314/15 for offences alleged under Section 392 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that on 18.07.2015 after getting down from Rajendra Nagar Terminal he reached Bhutnath More and was going towards his house by foot and reached near post office. The three miscreants aged about 16-18 years were present there, out of whom one miscreant asked for tobacco and thereafter the three miscreants snatched from him two mobile with SIM Nos. 9431481831 and 7781074974 and Govt. SIM No. 9471004458 and cash worth Rs. 10,000/- and black bag containing cloth, umbrella, torch etc. Informant claimed that he can identify the said three miscreants.

It has been submitted by the learned counsel for

the petitioner that he is innocent, not named in the First Information Report and has no criminal history. He further submits that during investigation, on the basis of his confessional statement, petitioner has been made accused. Learned counsel further contends that no recovery has been made from the possession of the petitioner and no Test Identification Parade has been done so far.

Learned APP for the State, however, opposes the prayer and states that on the confessional statement of the petitioner he has been made accused.

Since confessional statement before the police is not an admissible evidence in the eye of law, let petitioner, above named, 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 learned A.C.J.M., Patna City, Patna in connection with Agamkuan P.S. Case No. 314/15.

However, petitioner is directed to cooperate and appear as and when required by the police/ court, not to indulge in similar or any other offence, failure of which will entail cancellation of his bail bonds by the learned court below without being prejudiced with this order.

(Nilu Agrawal, J.)

Rajesh/-

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