

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8890 of 2016

Arising Out of PS.Case No. -53 Year- 2015 Thana -MAHARAJGANJ District- SIWAN

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1. Balwant Kumar @ Bullet son of Late Nand Kumar Singh Resident of
Village - Pasnauli, P.S. - Maharajganj, District - Siwan.... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 12-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with
Maharajganj P.S. Case No. 53 of 2015 registered for the offences
punishable under Section 394 of the Indian Penal Code.

Allegedly, two miscreants snatched bag of the informant
containing cash of Rs. 2,90,000/- and pass book after assaulting
the informant with knife. During investigation the petitioner was
apprehended and he confessed his guilt.

Submission is of false implication and that there is no
legal and tangible material against the petitioner, besides
confessional statement which has been recorded by the Police after
adopting 3rd degree method there is no other material, nothing has
been recovered from his possession, he has not been put on test
identification parade though he is in custody since 24.08.2015.

Chargesheet has been submitted only on the basis that the petitioner has criminal antecedent.

Learned APP fairly submits that besides confessional statement there is no other material against the petitioner.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Maharajganj P.S. Case No. 53 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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