

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15091 of 2016**

Arising Out of PS.Case No. -143 Year- 2015 Thana -JANDAHA District- VAISHALI(HAJIPUR)

=====

Laxman Singh @ Laxman Kumar Singh, S/o Sri Nand Kishore Singh @  
Nandu Singh, R/o Village- Rampur Saghil, P.S.- Desari (Sandeir O.P.),  
Distt- Vaishali.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

=====

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      23-05-2016      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Petitioner is languishing in custody since 04.02.2016 in connection with Jandaha P.S. Case No. 143 of 2015 for the offences alleged under Section 394 of the Indian Penal Code and Section 27 of the Arms Act. Later on Section 302 of the Indian Penal Code has been added.

The prosecution case is that the informant has stated in his fardbeyan that on 23.07.2015 at about 16.00 O'clock Bishundeo Paswan and Ranjeet Paswan standing on nozzle were selling petrol. Anil Paswan was inside the office and Ajit Kumar Rai, who was nozzle man standing near the nozzle and the informant was sitting in the office. In the meantime, three persons



riding on a Pulsor motorcycle came from Jandaha. Out of them, two persons stopped down near the nozzle and one of them took petrol of worth Rs. 200/- both snatched money from Bishundeo Paswan and when Ranjeet Rai ran towards the office and refused to give money, the miscreants shot him and snatched money. The informant was also assaulted by means of butt of pistol, which caused head injury, Thereafter, one miscreant entered into the counter and took away the money and fled away towards Jandaha.

It has been submitted by the learned counsel for the petitioner that he is innocent, has not committed any offence and it is on the confessional statement and as per the spy, the petitioner's name has surfaced. He further submits that he has not been subjected to T.I. Parade and one of the co-accused Kunal Kumar has since been granted the privilege of bail by a co-ordinate Bench of this Court in Criminal Miscellaneous Case No. 56241 of 2015 on 15.12.2015. He submits that the allegation being similar and on the confessional statement of the co-accused the petitioner has been implicated. Such confessional statement has no evidentiary value in the eye of law.

However, learned A.P.P. for the State submits that the petitioner although not named in the First Information Report but

he was named by the co-accused and by the spy, hence, opposes the prayer for bail.

Be that as it may, since the other co-accused has already been granted the privilege of bail, let the petitioner, above named be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Jandaha P.S. Case No. 143 of 2015.

However, it is made clear that since the petitioner is accused in other cases earlier, if in future, the petitioner has been found indulging in a case of similar nature, the learned court below will be at liberty to cancel the bail bond of the petitioner without being prejudiced with this order.

**(Nilu Agrawal, J)**

Vats/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|