

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21989 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -ITARHI District- BUXAR

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1. Jitendra Ram Son of Sri Ram Sagar Ram resident of village - Milki,
Police Station - Buxar Mufassil, in the District of Buxar Petitioner/s
Versus

1. The State of Bihar Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Dinesh Singh(App)

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

2 23-05-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Itarhi P.S.
Case No. 24 of 2016 registered for the offences punishable under
Sections 399 and 402 of the Indian Penal Code and Sections 25(1-
B)(a), 26 and 35 of the Arms Act.

Allegedly, four miscreants were apprehended with
white colour motorcycle with fire-arm and other incriminating
articles and they stated the name of the petitioner also that the
petitioner and two others succeeded in fleeing away.

Submission is of false implication and that the name of
the petitioner was taken by the co-accused who were arrested,
nothing has been recovered from possession of the petitioner and
the police after adopting third degree method, got recorded the
confessional statement of the petitioner also which has got no
evidentiary value in the eye of law, the petitioner has been made

victim of police atrocity, he has been made accused in one more case also and, as such, the petitioner who is suffering in custody since 12.03.2016, deserves sympathetic consideration to which the learned APP fairly submits that the name of the petitioner was taken by other co-accused who were arrested.

In the facts and circumstances stated above, considering the detention of the petitioner and further that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 Sri. Ratnesh Kumar Singh, learned Additional Chief Judicial Magistrate II, Buxar in connection with Itarhi P.S. Case No. 24 of 2016 subject to the conditions that one of the bailors must be 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.

(Jitendra Mohan Sharma, J)

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