

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5220 of 2016

Arising Out of PS.Case No. -84 Year- 2013 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Tufan Sah son of Badri Sah, resident of village- Jhakra, P.s.- Jagdishpur,
District- West Champaran at Bettiah

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-02-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 489(A),
489(B) and 489(C) of the Indian Penal Code.

Learned counsel for the petitioner submits that an F.I.R. is
registered with regard to seizure of fake currency notes. The
arrested person disclosed his name as Prabhu Sahani. On the basis
of the confessional statement made before the Police, two other
persons namely Sokha Baba and one Lalan Sah were named who
according to the said Prabhu Sahani, were the two persons who
had escaped from the place of occurrence. Subsequently, the
arrested Prabhu Sahani in his second confessional statement
named the petitioner. He submits that purely on the basis of the

confessional statement made before the Police, the petitioner has been implicated in the present case and such statement made before the Police has no evidentiary value. Moreover apart from suspicion, there has been no recovery from the possession of the petitioner.

Learned counsel appearing on behalf of the State submits that the said Prabhu Sahani was arrested on the spot with fake currency notes and it was he who disclosed the name of this petitioner.

Considering the fact that the petitioner was not arrested from the place of occurrence and that his name only surfaced in the confessional statement made before the Police, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Judicial Magistrate, 1st Class, West Champaran, Bettiah in connection with Shikarpur P.S. Case No. 84/2013 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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