

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8258 of 2016

Arising Out of PS.Case No. -468 Year- 2015 Thana -GAYA MUFFSIL District- GAYA

=====

Md. Tipu @ Md. Shabbir, Son of Md. Habib, Resident of Village/Mohalla-
Abgila (Jagdishpur), P.S.- Mufassil, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ambika Bhagat, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra (APP)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-04-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Muffassil P.S. Case No. 468 of 2015 registered for offence
punishable under Sections 414/34 of the Indian Penal Code.

As per the prosecution case, informant along with
police personnel arrived at the house of the accused, Najish and
found him sitting in a stolen tempo, who disclosed that the
petitioner had stolen the said tempo and had given to him. The
said tempo was seized by the informant and a seizure list was
prepared.

It has been submitted by the counsel for the petitioner
that petitioner bears no criminal history and his name surfaced

only on the basis of the confessional statement of the co-accused.

However, learned A.P.P. for the State opposes the prayer for bail stating that the name of the petitioner has surfaced on the basis of the confessional statement of the co-accused, Najish.

Be that as it may, since confessional statement of the co-accused has no evidentiary value in the eye of law, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffassil P.S. Case No. 468 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--