

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.14424 of 2016**

Arising Out of PS.Case No. -700 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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Chhotu @ Akash Anand @ Chhotu Kumar Singh S/o Dilip Singh R/o  
Basant Vihar (Newalal Chowk), P.S.- Maranga, District- Purnea.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar(APP)

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

3      27-04-2016                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with K.  
Hat P.S. Case No. 700 of 2015 registered for the offence  
punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution case, in brief, is that on receiving  
secret information that miscreants with vehicle and fire-arms for  
committing occurrence have assembled near Panchayat Bhawan,  
Line Basti, informant along with other police personnel proceeded  
for the place of occurrence and when the informant reached there  
and started checking one car, two persons started fleeing away.  
One of them, namely, Pammi Kumar Singh was apprehended and  
on search one loaded pistol and two cartridges were recovered

from him. He disclosed the name of the petitioner as his associate.

It has been submitted by the counsel for the petitioner that petitioner is innocent and has falsely been implicated in the aforesaid case. He further submits that no incriminating article has been recovered from his possession and in the confessional statement of co-accused, Pammi Kumar Singh, who was caught red handed by raiding party, name of the petitioner surfaced. It has further been submitted that petitioner has got no connection with the said co-accused Pammi Kumar Singh.

However, learned A.P.P. for the State submits that the vehicle from which other co-accused was arrested had confessed about the implication of the petitioner, hence, opposes the prayer for bail.

Be that as it may, since the confessional statement of a 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, Purnea in connection with K. Hat P.S. Case No. 700 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

However, since the petitioner is accused in another case, bearing K. Hat P.S. Case No. 404 of 2014, if in future, petitioner indulges in similar nature of offence, learned court below will be at liberty to cancel his bail bond.

**(Nilu Agrawal, J.)**

Arjun/-

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