

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30718 of 2016

Arising Out of PS.Case No. -110 Year- 2015 Thana -JAKKANPUR District- PATNA

Shambhu @ Karan Singh, Son of Ramadhar Satdev Jha, R/O Halakhpura,
P.S. Gadhpura, District-Begusarai.

.... Petitioner

Versus

- 1. The State of Bihar.
- 2. Zonal Manager, New Bengali Tola, Mithapur, Patna.

.... Opposite Parties

Appearance :

For the Petitioner : Mrs. Rina Sinha, Advocate.
For the State : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-09-2016 Heard learned counsels for the petitioner, informant-
State Bank of India and learned counsel for the State.

The petitioner is languishing in custody since 14.09.2015
in connection with Jakkanpur P.S. Case No. 110 of 2015 for the
offences instituted under Sections 420 and 379 of the IPC.

The prosecution story, in brief, is that from the ATM
Machine installed at Janki Sadan, Bangali Tola, Mithapur (New
Bus Stand), Rs. 7,52,000/- has been stolen.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 14.09.2015 and the charge sheet has
been submitted in the present case. There is no allegation of
tampering of the witnesses alleged against the petitioner. He is not
named in the FIR. His name has come on the basis of confessional

statement of the co-accused. Except for this, there is no other substantive piece of evidence to implicate the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the learned counsel for the informant-S.B.I. and learned counsel for the State, it has been submitted that though the petitioner is not named in the F.I.R. but from perusal of the case diary, it is evident that the petitioner has made confessional statement under Section 161 Cr. P.C. before the police and has accepted his guilt.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Patna, in connection with Jakkanpur P.S. Case No. 110 of 2015.

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(Sudhir Singh, J)