

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23688 of 2016

Arising Out of PS.Case No. -344 Year- 2015 Thana -KHIJARSARAI District- GAYA

Jugal Ravidas, son of Rajendra Ravidas, Resident of village- Mandal, P.S.-
Khizarsarai, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Smt. Sucheta Yadav, Advocate

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 05-08-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends arrest in connection with
Khizersarai P.S. Case No. 344/15, G.R. No. 6219/15 for offences
alleged under Section 414 of the Indian Penal Code.

The allegation is that apprehended co-accused
persons disclosed the name of the petitioner and on the basis of
that, house of the petitioner was raided, stolen motorcycle bearing
changed number BR 21H 5863 was seized and seizure-list was
prepared.

It has been submitted by the learned counsel for
the petitioner that he has been falsely implicated in the aforesaid
case, nothing incriminating has been recovered from his conscious

possession and only on the basis of confessional statement of the apprehended co-accused name of the petitioner has surfaced. He submits that the petitioner has no criminal history, as is evident from paragraph 3 of this petition and there is no allegation against the petitioner that he indulged in such offence as he was a bonafide purchaser of the said motorcycle.

However, learned APP for the State submits that the petitioner is named in the First Information Report, 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 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Gaya, in connection with Khizersarai P.S. Case No. 344/15, G.R. No. 6219/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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