

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57727 of 2015

Arising Out of PS.Case No. -313 Year- 2014 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Lussi Singh @ Ritesh son of Ram Badan Singh, Resident of at + P.O.-
Shankarwar Tola, Mokama, P.S.- Mokama, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Narsing Tanti(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-01-2016 Heard learned counsel for the petitioner and learned
A. P.P. for the State.

Petitioner apprehends his arrest in connection with
S. Kamal P.S. Case No. 313 of 2014 registered for offences
punishable under Sections 399, 402 of the Indian Penal Code and
Sections 25(1b)A, 26 and 35 of the Arms Act.

The prosecution case lodged by the Sub-Inspector,
Manoj Kumar Mahto, in brief, is that on confidential information
that some criminals for the purpose of committing dacoity of
vehicle had assembled on NH 31, the informant proceeded along
with other police personnel and reached near Raja Petrol Pump at
07:30 P.M. After seeing police party, accused persons started
fleeing away, but were apprehended and searched. It is further

alleged that on search, one pistol, one live cartridge and one Samsung mobile phone were recovered from accused Dharmendra Kumar @ Rajnish Kumar. One mobile of Spice company was recovered from accused Sanjeev Kumar. One live cartridge of .315 bore, Rs. 1000/- and one black mobile of Nokia company were recovered from accused Ranvir Kumar. One live cartridge of .315 bore, Rs. 1000/- and one mobile were recovered from accused Amit Kumar. Seizure list of the recovered articles was prepared in presence of the witnesses.

It is submitted by the petitioner that petitioner is not named in the First Information Report and on the confessional statement of co-accused Ranvir Kumar, name of the petitioner has surfaced. It has further been submitted that confessional statement of co-accused has no evidentiary value in the eye of law.

Be that as it may, 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 only) with two sureties of the like amount each to the satisfaction of Sri Deo Puriya Kumar, learned Judicial Magistrate, 1st Class or successor, Begusarai in connection with S. Kamal P.S. Case No. 313 of 2014, subject to the conditions as laid down under Section 438 (2) of the

Cr. P.C.

However, it may be noted that since the petitioner is accused in some other cases, if in future, petitioner is found to be indulging in a case of similar nature, the learned court below will be at liberty to cancel his bail bond without being prejudiced by this order.

(Nilu Agrawal, J.)

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