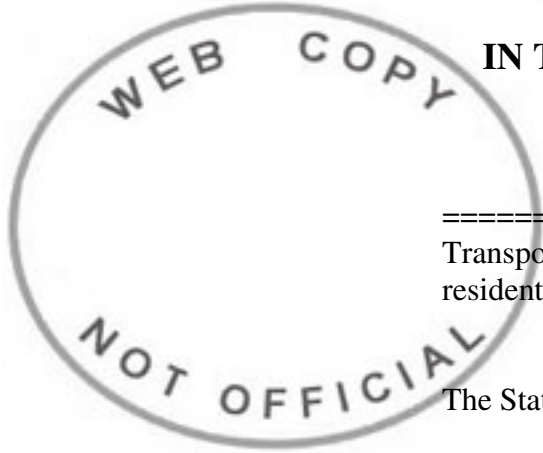




**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17782 of 2015**

Arising Out of PS.Case No. -156 Year- 2011 Thana -PIPRAKOTHI District-  
EASTCHAMPARAN(MOTIHARI)

=====

Transporter Subhash Pandey @ Subhash Pandey, Son of Dinanath Pandey,  
resident of Ratanpur P.S. Raxaul, Dist – East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

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

=====

**Appearance :**

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. R.S.Choudhary (App)

=====

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

4      30-01-2016                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection  
with Piprakoti P.S. Case No. 156 of 2011, registered for offences  
punishable under Sections 302, 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is a transporter and has nothing to do with the recovery  
of the dead bodies of Driver and Khalasi, whose truck was  
hijacked and the material thereon was looted. He further submits  
that although his name was not in the F.I.R, yet on the basis of  
confessional statements made by two accused persons, the  
petitioner's name was brought in alleging that he was one of the



persons, who had recommended taking on rent of the house where one Thakur Kushwaha had kept the stolen articles.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that it is only the confessional statements of two accused persons, the name of the petitioner has come in, which has no evidentiary value.

However, learned counsel for the petitioner submits that the confessional statements made by the accused persons, have no evidentiary value and the petitioner cannot be roped into the present case. He further submits that his name was introduced on account of business rivalry in the transport business and not otherwise.

Considering the entire facts and circumstances of the case, the materials which have come into the case diary and the fact that the petitioner has no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri G.

Mishra. J.M. 1<sup>st</sup> Class Sadar at Motihar, East Champaran in connection with Piprakoti P.S. Case No. 156 of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

sunil/-

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