

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21240 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -PARASBIGHA District- JEHANABAD

1. Rishu Kumar @ Chhotu son of Manoj Kumar Resident of Mohalla-
Gandhi Nagar, Jehanabad, Police Station- Jehanabad, District- Jehanabad.
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Singh Shastri (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 01-07-2016

Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Parasbigha
P.S. Case No. 104 of 2015 registered for the offence punishable
under Section 392 of the Indian Penal Code.

The petitioner is not named in the First Information
Report which is against un-known. During investigation, the name
of the petitioner transpired in the confessional statement of co-
accused Subodh Kumar.

Submission is of false implication and that the
petitioner is in custody since 05.03.2016 but he has not been put
on TIP. The alleged confessional statement of co-accused made
before the police has got no evidentiary value in the eye of law,
nothing has been recovered from conscious possession of the
petitioner, co-accused Shankar Kumar Chaudhary @ Shankar

Chaudhary @ Chootu has already been allowed bail vide Cri. Misc. No. 22115 of 2016 by another co-ordinate Bench of this Court and, as such, the petitioner also deserves sympathetic consideration

The learned A.P.P. fairly submits that similarly situated co-accused Shankar Kumar Chaudhary has been granted bail.

In the facts and circumstances stated above, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri. Sandeep Patel, learned Judicial Magistrate, 1st Class, Jehanabad in connection with Parasbigha P.S. Case No. 104 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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