

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24432 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Banarsi Paswan S/o Punar Paswan
2. Rajkishore Paswan S/o Sheobalak Paswan.
3. Dhora Paswan S/o late Langtu Paswan All are Resident of Village-
Khartari, - PS. Chiraiya, District East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. B.M.P Sinha (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 02-06-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody since 13.02.2016 in
connection with a case registered for the offences punishable
under Sections 302/201/120(B) of the Indian Penal Code.

Learned counsel for the petitioners submits that though the
petitioners were not named in the First Information Report and
there is no eye-witness to the incident, the petitioner No. 1 was
taken into custody and on the basis of his confessional statement
made before the Police, petitioners No. 2 and 3 had also been
taken into custody. It is further submitted that the petitioners
cannot be prosecuted on the basis of the confessional statement

made before the Police by a co-accused which has no evidentiary value.

Considering the aforementioned facts and circumstances and also that the petitioners have no criminal antecedent and that they have been taken into custody on mere suspicion, let the petitioners No. 1, 2 and 3, namely, Banarsi Paswan, Rajkishore Paswan and Dhora Paswan, respectively, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 24/2016.

(Anjana Mishra, J)

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