

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55880 of 2015

Arising Out of PS.Case No. -117 Year- 2013 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Rabindra Kumar Singh @ Pinki Singh, S/o Ram Ayodhya Kumar,
Resident of village- Parsauni Kapoor, P.S.- Patahi, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s Mr. Rajendra Nath Jha(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 10-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Patahi
P.S. Case No. 117 of 2013 registered for the offence punishable
under Section 302 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegedly, some unknown killed Bashistha Mahto.
During investigation the name of the petitioner transpires in the
statement of spy and thereafter the petitioner was apprehended and
he confessed his guilt.

Submission is of false implication and that during
investigation no legal and cogent material has come, the police
after adopting third degree method got recorded the confessional
statement of the petitioner which has got no evidentiary value in

the eye of law. Alleged seizure of paper of Azad Hind Fauz is not reliable and it has been made only with a view to implicate the petitioner and as such the petitioner suffering in custody since 30.5.2015 deserves sympathetic consideration to which learned A.P.P. after going through the case diary fairly submits that beside the confession there is no other material against the petitioner.

In the facts and circumstances stated above, considering that charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence the petitioner is 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 the Learned Sub Judge, VIII, Motihari in connection with Patahi P.S. Case No. 117 of 2013 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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