

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56722 of 2015

Arising Out of PS.Case No. -20 Year- 2015 Thana -JAMHORA District- AURANGABAD

Sarwan Singh, Son of Laldeo Singh, Resident of village- Sarsauli, P.S.-
Jamhore, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate
For the Opposite Party/s : Mr. Anil Kr.Singh(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 25-01-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Jamhore P.S. Case No.20 of 2015 for allegedly having
committed the offence under Sections 302 and 201/34 of the
Indian Penal Code.

Case diary in the present case was called for, which
has since been received.

Learned counsel for the petitioner submits that though
the petitioner is not named in the F.I.R., names of three others
persons have been specifically brought in. Learned counsel for
the petitioner submits that the name of the petitioner has surfaced
on the confessional statement made by one co-accused, namely,
Nitish Kumar, who is a distant *Gotiya* of the petitioner. It is

further submitted that the petitioner cannot be prosecuted on the confessional statement made before the police by the co-accused as the same has no evidentiary value. He further submits that the petitioner is also having no criminal antecedents.

Learned counsel for the State after perusal of the case diary submits that save and except the confessional statement, there is no further material in the case diary to connect the petitioner with the present case.

Considering the aforementioned facts and circumstances and that the petitioner has no criminal antecedents, 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 released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad, in connection with Jamhore P.S. Case No.20 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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