

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41777 of 2016

Arising Out of PS.Case No. -330 Year- 2016 Thana -MARHAURA District- SARAN

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Golu Singh @ Abhimanyu Singh, Son of Sanoj Singh, Resident of Mohalla-
Jamalpur, P.S.- Marhowrah, District- Saran, at Chapra.

..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Kumar, Advocate

For the Opposite Party : Mr. Sri Sanjay Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with

Marhowrah P.S Case No. 330 of 2016 registered for the offences

punishable under Sections 413/414 of the Indian Penal Code.

Allegedly, the petitioner was standing with

motorcycle near High School Gate and after seeing the police

party started fleeing away after leaving the motorcycle, but was

caught and he confessed his guilt.

Submission is of false implication and that the

petitioner was arrested in the procession of ‘Bhakpa Male’ on the

occasion of Bihar Band, along with so money persons but all of

them have been released in the evening whereas the petitioner has

been remanded in this case, after showing wrong recovery. The

motorcycle was not recovered from the conscious possession of the petitioner, rather from the gate of the High School, the petitioner has been made victim of the circumstances due to procession there was stampede and in that process petitioner has been apprehended, the confessional statement has got no evidentiary value in the eye of law, he is suffering in custody since 11.07.2016.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner shall be released on bail after **completion of 06 (six) months in custody** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- II, Saran, in connection with Marhowrah P.S. Case No. 330 of 2016, subject to the conditions that one of the bailors must be a 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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