

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17980 of 2016

Arising Out of PS.Case No. -268 Year- 2015 Thana -PIRO District- BHOJPUR

1. Manish Kumar @ Mukhia Son of Sri Birendra Kumar Singh Resident of Village;Govind Dhi, P.s Piro, District Bhojpur, at Ara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Gulnar Begum(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-05-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The Petitioner apprehends his arrest in connection with Piro P.S.Case No. 268 of 2015 registered for offences punishable under Sections 392/414 of the Indian Penal Code.

The prosecution case is that the petitioner along with other co-accused persons robbed the motorcycle and the mobile phone of the informant along with cash of Rs. 5000/- threatening him by pistol. Further case of the prosecution is that one of the co-accused persons was apprehended after chase by the police and he named this petitioner as one of the accused persons.

It has been submitted by the learned counsel for the petitioner that he is innocent having committed no offence and

even the informant during his examination has not supported the prosecution version in the pending trial. He further submits that the petitioner was not apprehended and the co- accused Dinesh Singh @ Karia has given the petitioner's name in his confession.

Learned counsel appearing on behalf of the state submits that although the petitioner has not been caught red handed but the apprehended co-accused has named him, hence, opposes the prayer for bail.

Be that as it may, since the confessional statement of the co-accused has no evidentiary value in the eye of law and during the trial, the informant has also not supported the prosecution version, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhojpur at Ara in connection with Piro P.S.Case No. 268 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J)

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