

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5174 of 2016

Arising Out of PS.Case No. -345 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

1. Md. Jubair, Son of Md. Munna, Resident of Village- Ninga, P.S.-
Barauni, District- Begusarai..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha

For the Opposite Party/s : Mr. Ashraf Ansari(App)

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

ORAL ORDER

3 29-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Begusarai
Town P.S. Case No. 345 of 2015 registered for the offences
punishable under Sections 379/34 and 411 of the Indian Penal
Code.

Allegedly, amount of Rs. 3,72,134/- kept in a bag was
snatched by two motorcycle borne criminals. During investigation
on the basis of confessional statement of the petitioner sum of Rs.
96,500/- was recovered from the house of Hazra Khatoun.

Submission is of false implication and that nothing was
recovered from conscious possession of the petitioner, the Police
after adopting 3rd degree method recorded the confessional
statement of the petitioner which has got no evidentiary value in
the eye of law and as such he deserves sympathetic consideration

to which the learned APP seriously opposes by submitting that the petitioner has got criminal antecedent of similar nature of cases and on the basis of his confessional statement part of the snatched amount was recovered in presence of the petitioner from the house of one Hazra Khatoon.

In the facts and circumstances stated above, at this stage, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, let the trial be expedited and concluded within nine months and if the trial is not concluded without any fault on the part of the petitioner within such period, then he may be at liberty to renew the prayer of bail.

(Jitendra Mohan Sharma, J)

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