

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25411 of 2016

Arising Out of PS.Case No. -144 Year- 2015 Thana -PATEPUR District- VAISHALI(HAJIPUR)

1. Nawal Rai Son of Late Basant Rai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 21-06-2016

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 420, 406, 120B of the Indian
Penal Code.

The informant claims in his written report that he got
loaded biscuits worth Rs. 4,02,447/- on his truck and being driver
of the aforesaid truck petitioner proceeded to Araria to deliver the
aforesaid biscuits to its consignor but in the midway petitioner
embezzled the aforesaid biscuits. The impugned order of learned
Sessions Judge goes to show that in course of investigation, the
stolen biscuits were recovered from the house of one co-accused,
Pintu Kumar, who in interrogation, disclosed before the police that
he in connivance with the petitioner got removed the biscuits in

question.

No doubt, the confessional statement of co-accused does not have any evidentiary value but in the present case, the aforesaid statement of co-accused goes to show the involvement of the petitioner in the alleged crime.

Therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Patepur P.S. Case No. 144 of 2015 pending in the court of Chief Judicial Magistrate, Vaishali at Hajipur stands rejected.

(Hemant Kumar Srivastava, J)

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