

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53025 of 2016

Arising Out of PS.Case No. -288 Year- 2016 Thana -BARHARA District- BHOJPUR

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1. Chhotu Singh S/o Arbind Singh Resident of Village- Babura, Post Babura, P.S. Barashara, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in judicial custody since 25.09.2016 in connection with Barahara P.S.Case No. 288 of 2016 for the offences alleged under Section 414 of the Indian Penal Code.

The prosecution case is that the police during course of checking and raid caught one Ravi Mahto, who was caught with a gold ring and rupees twelve thousand. The petitioner was also during checking was found to have a gold ring and rupees twenty three thousand and nine hundred in his house.

It has been submitted by the learned counsel for the petitioner that the petitioner is innocent. There is no criminal



history and it is on the confessional statement of co-accused, Ravi Mahto that the name of the petitioner surfaced and the house of the petitioner was raided. He submits that the money and the gold ring belong to him and it is not stolen article. It has further been submitted that the charge sheet has already been submitted and hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner was found to have in possession of stolen articles, hence, opposes the prayer for bail.

Be that as it may, since the confessional statement of co-accused has no evidentiary value in the eye of law and that charge sheet has already been submitted, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/0- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur, Ara, in connection with Barahara P.S.Case No. 288 of 2016.

(Nilu Agrawal, J)

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