

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58547 of 2015

Arising Out of PS.Case No. -152 Year- 2014 Thana -NAUTAN District- -

1. Raju Singh @ Raju Kumar Singh Son of Bachcha Singh @ Bacha Singh,
Resident of Village - Matihani, Police Station - Mirganj, District -
Gopalganj. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Nautan P.S. Case
No. 152 of 2014 registered for the offences punishable under Sections
302, 201/34 of the Indian Penal Code.

The instant case has been registered on the basis of
fardbeyan of Chaukidar Shailendra Kumar Manjhi after recovery of a
dead body from the premises of middle school Pachtakhi and during
investigation on the basis of tower location the name of the petitioner
transpires and he confessed his guilt.

Submission is of false implication and that from tower
location it cannot be said that the petitioner was involved in the crime,
the confessional statement has got no evidentiary value in the eye of
law, the Police after adopting 3rd degree method have got recorded the
confessional statement, co-accused Dilip Manjhi who has also

confessed his guilt has already been allowed bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 43160 of 2015 and from the confessional statement it reveals that Dilip Manjhi was the assailant and as such the petitioner who is suffering in custody since 06.12.2014 deserves sympathetic consideration to which the learned APP duly assisted by learned counsel for the informant opposes by submitting that the trial is going on and two prosecution witnesses have already been examined.

In the facts and circumstances stated above, considering that co-accused has already been allowed bail, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge, Siwan in Sessions Trial No. 204 of 2015 arising out of Nautan P.S. Case No. 152 of 2014, 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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