

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30527 of 2016

Arising Out of PS.Case No. -521 Year- 2015 Thana -BARACHATTI District- GAYA

Munna Chaudhary @ Munna Kumar son of Sitaram Chaudhary, resident of
village- Amsot, P.S. Mohanpur, Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-08-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 302/34
of the Indian Penal Code.

Learned counsel for the petitioner submits that the First
Information Report of the present case is against unknown
persons, but subsequently, one Mithelesh Chaudhary was arrested
and during the course of investigation, on the basis of confessional
statement made before the police, the petitioner's name has
surfaced. It is further submitted that the said Mithlesh Choudhary
has been extended the privilege of regular bail in B.A. No. 83 of
2016 vide order dated 07.01.2016. So far as this petitioner is
concerned, it is submitted that he cannot be prosecuted on the

basis of confessional statement made by the co-accused which has no evidentiary value.

In view of the facts and circumstances and also the fact that this petitioner has no criminal antecedent, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 521 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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