

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20074 of 2016

Arising Out of PS.Case No. -592 Year- 2015 Thana -KANTI District- MUZAFFARPUR

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1. Pappu Kumar Son of Jai Prakash Yadav Resident of Village- Bhagwanpur,
Yadav Nagar, P.S.- Sadar, District- Muzaffarpur. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prakash Shharma, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 30-06-2016 Heard learned counsel for the petitioner and learned A.P.P.
representing the State.

The petitioner seeks bail in connection with Kanti P.S.
Case No. 592 of 2015 registered for the offences punishable under
Sections 394 and 302 of the Indian Penal Code and Section 27 of the
Arms Act.

The petitioner is not named in the First Information Report.
During investigation, the motorcycle of deceased which was taken
away by the miscreants was recovered from conscious possession of
co-accused Shyam Sundar Sahni and he stated the name of the
petitioner and Santanu Kumar that they have sold motorcycle to him
for Rs. 8,000/-.

Submission is of false implication, the confessional statement
made before the police has go no evidentiary value in the eye of

law and in this case co-accused, namely, Sunny Kumar, Priyanshu Raj and Gautam Kumar have already been allowed bail and, as such, the petitioner who is suffering in custody since 20.02.2016 also deserves sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, the petitioner, above named, is also 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 S.D.J.M. (West) Muzaffarpur in connection with Kanti P.S. Case No. 592 of 2015 subject to the conditions that one of the bailors must be 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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