

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1975 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -BARHAT District- JAMUI

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Sanjay Singh S/o Late Ashok Singh R/village - Gaghaza, P.S. Sahpur,
District - Patna, At present residing at village - Gaziya, P.S. - Laxmipur,
District - Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Md. Ansarul Haque

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 06-03-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 379 of the I.P.C

Allegedly, a Bolero bearing No. BR 46 A 6351 was
stolen away from outside of house of the informant and one
mobile was also inside the vehicle and accordingly the case was
registered against unknown. During investigation on the basis of
confessional statement of the petitioner the said Bolero was
recovered.

Submission is of false implication and that the
petitioner has got no concern with any mobile mentioned in the



case diary, the police got his signature on a plain paper and prepared false confessional statement by misusing his power and as the said confessional statement is extra judicial confession and as such has got no value in the eye of law, the petitioner is in custody since 11.11.2016 and as such he deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail by submitting that on the basis of the mobile location the petitioner was apprehended and on the basis of his confessional statement the said Bolero was recovered though number of the Bolero which is mentioned in the seizure list differs.

In the facts and circumstances as stated above, at present I am not inclined to release the petitioner on bail and accordingly his such prayer stands rejected in connection with Barhat P.S. Case No. 53 of 2016 pending in the court of Sri N.K. Yadav, J.M. 1st Class, Jamui.

However, the petitioner may renew his prayer for bail after remaining six months in custody from the date of his remand.

(Jitendra Mohan Sharma, J)

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