

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12641 of 2017

Arising Out of PS.Case No. -120 Year- 2016 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Pankaj Singh Son of Harendra Singh @ Hare Ram Singh, Resident of
Village- Ajana Coat, P.S.- Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 28-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Mehshi
P.S. Case No. 120 of 2016 registered for the offence punishable
under Section 379 of the Indian Penal Code.

Allegedly, the motorcycle of the informant was stolen
away by un-known thief. During investigation the petitioner has
been remanded in this case from Mehsi P.S. Case No. 144 of 2016
under Section 413 and 414 IPC wherein he has confessed his guilt
and also confessed that he has committed theft of motorcycle and
also sold the stolen motorcycle in question in Nepal.

Submission is of false implication and that nothing has
been recovered from possession of the petitioner, confessional
statement made before the police has got no evidentiary value in



the eye of law. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence. The petitioner is in custody since 28.10.2016.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that nothing has been recovered from the possession of the petitioner and besides confession there is nothing against him and, as such, 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 6th Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Mehshi P.S. Case No. 120 of 2016 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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