

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4007 of 2017

Arising Out of PS.Case No. -149 Year- 2015 Thana -DHANARUA District- PATNA

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1. Shailesh Kumar, Son of Deepu Gope, Resident of Village- Gosain Math,
Police Station- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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

3 27-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Dhanarua
P.S. Case No. 149 of 2015 registered for the offences punishable
under Sections 302, 201, 120(B), 379/34 of the Indian Penal Code.

Allegedly, Sonu Kumar, the son of the informant
became traceless with his Piaggio auto and thereafter his dead
body was recovered. During investigation, the said auto was
recovered and the name of the petitioner transpires from the
confessional statement of co-accused and further the petitioner has
also confessed his guilt.

Submission is of false implication and that besides
confessional statement, there is nothing against the petitioner.



Confessional statement made before the police has got no evidentiary value in the eye of law, nothing has been recovered from the possession of the petitioner and the petitioner has voluntarily surrendered on 29.06.2016 and since then he is in custody.

The learned A.P.P. opposes the prayer of bail by submitting that the name of the petitioner has come from the confessional statement of co-accused Tinku and Mantu Sharma and further the petitioner also confessed his guilt and he is the main accused.

In the facts and circumstances stated above, considering that besides confession, at present there is no other material against the petitioner and, as such, the above named petitioner 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 Sri. Ranjay Kumar J.M. 1st Class, Masaurhi, Patna in connection with Dhanarua P.S. Case No. 149 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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