

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34989 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -KUCHILA District- BHABHUA (KAIMUR)

=====

1. Vinod Musahar Son of Aanandi Musahar, R/o Village- Hakarpur, P.S.-
Rajpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner is languishing in judicial custody since
02.03.2017 in connection with Kuchhila P.S. Case No. 07 of 2017,
G.R. No. 447 of 2017 for offences punishable under Sections 379
and 411 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel
is that on information that two persons are taking a motorcycle in
suspicious condition, the petitioner was apprehended along with
one another and from the possession of the petitioner motorcycle,
one knife used in cutting wire and a mobile have been recovered
and accordingly, a seizure list has been prepared. The petitioner
confessed that he was going to take petrol for re-fueling the
motorcycle and has also confessed about selling of 4-5



motorcycles to different persons.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated on the basis of confessional statement before the police which has no evidentiary value in the eye of law. He further submits that Section 100 of Cr.P.C. has not been complied while preparing the seizure list and that the petitioner does not have concern with the stolen motorcycle and that charge-sheet has already been submitted and there is no allegation of tampering of prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Kuchhila P.S. Case No. 07 of 2017, G.R. No. 447 of 2017.

(Nilu Agrawal, J)

sushma/-

U		T	
---	--	---	--

