

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5707 of 2017

Arising Out of PS.Case No. -114 Year- 2015 Thana -JHAJHA District- JAMUI

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Subhit Yadav S/o Lato Yadav, Resident of Village-Jogiyatilha, P.S. Jhajha,
Dist. Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh -5, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner has been remanded in judicial custody

on 19.10.2016 in connection with Jhajha P.S. Case No. 114 of

2015 registered for the offence punishable under Sections 399

and 402 of the Indian Penal Code and Sections 25(1-b)a, 26

and 35 of the Arms Act.

The prosecution case is that on a secret tip-off

that some persons have assembled to commit dacoity, the

police personnel raided the said place. During the raid, some

persons managed to escape, but four accused persons were

apprehended. Out of the apprehended co-accused, Sanjay



Pandit has named the petitioner and has also stated that the country made pistol, which was recovered from the room, belonged to him and the petitioner.

It has been submitted by the learned counsel for the petitioner that he is innocent, has not committed any offence and has been remanded in this case, as he was arrested in another case, bearing Jhajha P.S. Case No. 85 of 2015, which was also lodged against unknown. It is further submitted that two of the First Information Report named accused have since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 53630 of 2015 on 27.11.2015 and Cr. Misc. No. 54898 of 2015 on 11.12.2015.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstance and that the confessional statement of a co-accused has no evidentiary value in the eye of law and that other FIR named accused have since been granted the privilege of bail, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the



like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 114 of 2015.

(Nilu Agrawal, J.)

Arjun/-

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