

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43062 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -KURTHA District- JEHANABAD

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1. Ranjeet Kumar Son of Ritu Bhanjan Singh Resident of Village :
Gopalpur, P.S. Shakurabad, District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Adv.

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
31.03.2017 in connection with Kurtha P.S. Case No. 167 of 2016
for offences punishable under Section 392 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that while he was going to the market for purchasing some
articles, a bag containing Rs. 2,60,000/- was looted by two
motorcycle borne four persons. Villagers identified two persons
but the petitioner was not identified.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information



Report and his name surfaced only on the basis of his own confessional statement before the police, which has no evidentiary value in the eye of law. He submits that nothing has been recovered from his conscious possession. No T.I. parade has been done so far. He further submits that some of the co-accused, whose name surfaced during investigation in the confessional statement, have been granted privilege of bail by co-ordinate Bench by this court in Criminal Miscellaneous No. 38095 of 2017 on 10.08.2017 and in Criminal Miscellaneous No. 41834 of 2017 on 11.09.2017. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and is involved in similar type of two cases and remanded in another case in which he had confessed his involvement.

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, Arwal, Jehanabad, in connection with



Kurtha P.S. Case No. 167 of 2016 subject to the following conditions:

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Nilu Agrawal, J)

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