

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25257 of 2018

Arising Out of PS.Case No. -77 Year- 2017 Thana -HASPURA District- AURANGABAD

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1. Basant Kumar @ Nepali Son of Tapeswar Singh Resident of Village -
Purhara, P.S. - Haspura, District : Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 16-05-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner has been in custody since 02.01.2018 in connection with Haspura P.S. Case No. 77 of 2017 registered for the offences punishable under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that though not named in the First Information Report, the name of the petitioner transpired in the confessional statement made before the police and on his arrest in connection with the present case a self-confessional statement has also been extracted from him by the police. It is further submitted that such a confessional statement made before the police has no evidentiary



value. It is further submitted that other similarly situated persons have since been extended the privilege of bail in Cr. Misc. No. 59194 of 2017 vide order dated 19.12.2017.

Taking into consideration the aforementioned facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Daudnagar, Aurangabad, in connection with Haspura P.S. Case No. 77 of 2017, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court



concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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