

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57825 of 2018

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1. Abhinay Akarsh @ Abhinav Akarsh @ Rishu Singh, Son of Ravi Prakash Singh @ Ravi Prakash, Resident of Village- Gayatri Nagar, P.S.- Town, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-09-2018 Learned counsel for the petitioner is permitted to delete the word 'co-accused' in paragraph No. 7 of the bail application.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner has been in custody since 17.05.2018 in connection with Muffasil P.S. Case No. 240/2018 registered for the offences punishable under Sections 147/148/149/302/201/120B of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that though the petitioner is not named in the First Information Report, subsequently, on the basis of confessional statement made before the police by a co-accused, the petitioner has been implicated in



connection with the present case. It is further submitted that after he was arrested in connection with the present case, the petitioner has also given a self-confessional statement before the police. It is further submitted that in view of the fact that self-confessional statement made before the police cannot form the basis of any prosecution as the same has no evidentiary value and that the informant of the present case is not the eye-witness, the petitioner be extended the privilege of bail.

In view of the aforementioned facts and circumstances and also because the petitioner has got no criminal antecedent, 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 Chief Judicial Magistrate, Motihari, East Champaran, in connection with Muffasil P.S. Case No. 240/2018.

(Anjana Mishra, J)

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