

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23916 of 2018

Arising Out of PS.Case No. -19 Year- 2018 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Naveen Kumar Pandit S/o Bal Govind Pandit, R/o Vill- Musechak, P.S.-
Sahebpur, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 14-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 04.02.2018 in connection with Sahebpur Kamal P.S. Case No. 19 of 2018 for the offence registered under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner is not named in the first information report but subsequently, on the basis of the confessional statement made by the Spy the certain articles were recovered from the possession of the petitioner and he was taken into custody. Thereafter, the petitioner was made to confess before the police and he is in custody for almost six months. It is further submitted that the alleged recovery was never placed on T.I. parade nor the petitioner



was identified at the T..I. Parade It is further submitted that such recovery and confession of the petitioner cannot be saddled on the shoulder of the petitioner, as the confessional statement made before the police has no evidentiary value. It is further submitted that the petitioner has no criminal; antecedent

Considering the aforesaid facts and circumstances of the case and that save and except the confessional statement made before the police, there is no further material in the case diary to implicate the petitioner in connection with the present case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-V, Begusarai in connection with Sahbepur Kamal P.S. Case No. 19 of 2018, subject to the following conditions :-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his 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 his 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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