

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22382 of 2018

Arising Out of PS.Case No. -407 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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NIRANJAN KUMAR BHAGAT @ NIRANJAN KUMAR, son of Late
Manik Chand Bhagat, resident of Village- Shankarpur (Madheli Diara),
P.S.- Alamnagar, District- Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 16-05-2018 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 27.05.2016 in
connection with Kotwali (Adampur) P.S. Case No.407 of 2015
registered for the offence under Section 384 of the Indian Penal
Code, pending in the court of the learned Chief Judicial
Magistrate, Bhagalpur.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R.. However, only on the basis
of the confessional statement made before the police, he is
being prosecuted in connection with the present case.

Diary in the present case was called for, which has



since been received.

Learned counsel appearing on behalf of the State, after perusal of the case diary, submits that after the petitioner was taken into custody, he has made a confession before the police as would appear from paragraph 53.4 of the case diary and in pursuance of that confession, the SIM which was used for giving threats was recovered from the place as described by the petitioner and, therefore, it is not just a confession simpliciter and the petitioner may not be released on bail.

Having considered the entire facts and circumstances and in view of his criminal antecedents, I am not inclined to grant bail to the petitioner. It is, accordingly, rejected. However, the trial may be expedited.

(Anjana Mishra, J)

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