

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21357 of 2018

Arising Out of PS.Case No. -10 Year- 2018 Thana -AMAS District- GAYA

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Shambhu Choudhary, Son of Dudheshwar Choudhary, resident of Village-
Lembua, P.S.- Amas, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-05-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 07.02.2018 in connection with Amas P.S Case No.10 of 2018 registered for the offence under Section 461, 379 and 427 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner is not named in the F.I.R., yet on the basis of the confessional statement made before the police, he has been apprehended. There is no recovery from the petitioner. Learned counsel for the petitioner also submits that the petitioner is having no criminal antecedents.

Be that as it may, in view of the fact that the



petitioner's name has surfaced on the basis of the confessional statement made before the police, which has no evidentiary value, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sherghati, Gaya, in connection with Amas P.S. Case No.10 of 2018.

However, before releasing the petitioner, it shall be obligatory on the court below to make necessary inquiries from the concerned police station whether or not the petitioner is having any criminal antecedent. **If it is found that the petitioner does not have any criminal history, then the order shall be given effect to.**

(Anjana Mishra, J)

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