

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31911 of 2018

Arising Out of PS. Case No.-6 Year-2018 Thana- SIKANDARA District- Jamui

Mithun Rajak, S/o Raj Kumar Rajak, resident of Village- Husainiganj, Police Station- Sikandara, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 07-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363, 302, 376(D), 201/34 of the Indian Penal Code and Sections 4, 6, 10, 12 of the POCSO Act.

The daughter of the informant was missing from her house when the informant was away. Therefore, F.I.R. was lodged against unknown. During investigation the informant suspected against petitioner and others, who were crossing the road and on that suspicion petitioner was arrested by the Police and his confessional statement was recorded while in custody before the Police.

Submission of the learned counsel for the petitioner



is that the petitioner has got no criminal antecedent. He is in custody since 13.01.2018. Investigation of the case is already complete. Confession before the Police while in custody has got no evidentiary value. There is no other evidence.

Learned counsel for the State opposed the prayer for bail and submitted that further investigation in this case is already going on.

Considering the fact that there is no substantial material against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sikandara Police Station Case No.06 of 2018, subject to condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below and the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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