

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47984 of 2018

Arising Out of PS. Case No.-4 Year-2018 Thana- PATNA GRP CASE District- Patna

Rajesh Paswan, Son of Krishna Paswan, Resident of Anand Bazar,
Mubarakpur, Police Station- Shahpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr. Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 20-09-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with GRP
Patna P.S. Case No. 4 of 2018 registered under Sections 379,
411/34 of the Indian Penal Code.

Petitioner along with other accused persons are
said to have stolen box of the army by breaking open the break
van and one Pankaj Kumar was apprehended and on his
disclosure, the box was recovered, who on his confessional
statement, disclosed the name of the petitioner and other
accused persons as his accomplices of the occurrence.

It is submitted by learned counsel for the
petitioner that the petitioner has no concern with the aforesaid



occurrence. No incriminating article has been recovered from conscious physical possession of the petitioner. There is nothing in the record indicating the complicity of the petitioner in the occurrence, barring confessional statement of co-accused Pankaj Kumar, which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 28.03.2018 and said Pankaj Kumar and Lallu Kumar have been enlarged on bail by different co-ordinate Bench of this Court vide order dated 31.08.2018 and 17.07.2018 passed in Cr. Misc. no. 51063 of 2018 and 28652 of 2018 respectively.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Patna in connection with GRP Patna P.S. Case No. 4 of 2018.

(Prakash Chandra Jaiswal, J)

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