

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49459 of 2018

Arising Out of PS. Case No.-200 Year-2018 Thana- SHERGHATI District- Gaya

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Munna Kumar Yadav @ Munna Kumar son of Rajendra Yadav @ Rajendra Prasad Resident of Mohalla Debariya PS and Distt. Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Smt. Reena Sinha

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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 a case registered under
Section 395 of the Indian Penal Code.

Petitioner is said to have looted the truck, cash and
mobiles of its driver and khalasi by tying their hand leaving
them in the forest along with six accused persons.

It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.
Petitioner has no concern with the aforesaid occurrence. No
incriminating article has been recovered from his conscious
physical possession. There is nothing in the record indicating
the complicity of the petitioner in the occurrence barring the



confessional statement of the petitioner and two other accused persons. Aforesaid confessional statements recorded by the police under coercion have no evidentiary value in the eye of law. Though one more criminal case has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 21.04.2018. Co-accused namely Bipin Kumar has been enlarged on bail by a co-ordinate bench of this court in Cr. Misc. No. 42054 of 2018 vide order dated 30.07.2018.

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 Additional Chief Judicial Magistrate, Sherghati (Dobhi), Gaya in connection with Sherghati (Dobhi) P.S. Case No. 200 of 2018.

(Prakash Chandra Jaiswal, J)

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