

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63205 of 2018

Arising Out of PS. Case No.-497 Year-2017 Thana- MADHEPURA District- Madhepura

Subhash Yadav Son of Late Siaram Yadav, Resident of Village-
Parmanandpur, Police Station- Ghailarh, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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

ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Madhepura P.S. Case no. 497 of 2017 registered under
Section 414 of the Indian Penal Code.

During the course of search in the occurrence of
several theft committed under P.S. Madhepura, Gayatri Devi,
Sita Devi and Marjina Khatoon @ Raushan Khatoon were
apprehended and some household articles, attire, etc. were
recovered from the possession of said Marjina Khatoon @
Raushan Khatoon who in her confessional statement named the
petitioner as one of her accomplices in the occurrence.

It is submitted by learned counsel for the petitioner



that petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in the case. No incriminating article has been recovered from the possession of the petitioner. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of the co-accused which has no evidentiary value in the eye of law. Moreover no one has claimed the articles recovered from the possession of Marjina Khatoon @ Raushan Khatoon.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 497 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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