IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21308 of 2018

Arising Out of PS.Case No. -340 Year- 2016 Thana -HILSA District- NALANDA (BIHARSHARIFF)

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Dhananjay Kewat, son of Shivajee Kewat, Resident of Village- Bhurkur, P.S.- Hilsa, District- Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 08-05-2018 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is in custody since 27.03.2017 in connection with Hilsa P.S. Case No.340 of 2016 registered for the offence under Section 396 of the Indian Penal Code.

Learned counsel for the petitioner submits that only on the basis of the confessional statement made before the police by one Rajesh Kewat, the petitioner has been remanded in connection with the present case. It is further submitted that though the petitioner was taken into custody on 27.03.2017, till date he has not been placed on T.I. Parade. It is further submitted that though the petitioner has several criminal antecedents, there is no further materials in the case diary, save

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and except the confessional statement, so as to implicate the petitioner in connection with the said case.

Having heard learned counsel for the petitioner and the learned counsel for the State, who has also perused the case diary, it appears that the F.I.R. is against unknown and the prosecution of the petitioner has come out on confessional statement, which has no evidentiary value.

In view of the aforementioned facts and circumstances, 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 A.C.J.M., Hilsa, Nalanda, in connection with Hilsa P.S. Case No.340 of 2016, subject to the following conditions :

(1) One of the bailors will be the father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

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(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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