

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6809 of 2018

Arising Out of PS.Case No. -362 Year- 2017 Thana -PARWATTA District- KHAGARIA

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Suman Kumar, S/o Amar Sharma, Resident of Village- Kulharia, P.S.-
Parbatta, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajesh Kumar, Advocate.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP.

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

ORAL ORDER

3 15-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Parbatta (Maraiya) P.S.
Case No. 362 of 2017 registered under Sections 392 and 120B of
the Indian Penal Code.

The petitioner who happens to be driver of the
pickup van is suspected to have plundered the cash and belongings
of the informant and his three companions in association of his
accomplices on the way in the course of proceeding for purchasing
banana as the petitioner used to interact with some persons on
mobile in the course of travelling and he was not assaulted by the
accused persons during the occurrence.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the conscious physical possession of the petitioner. The petitioner happens to be driver of the pick up van and he was carrying the informant and his companions to Kulharia on hire. He is not concerned with the aforesaid occurrence. He has been falsely implicated in this case merely on suspicion because he used to interact with some person on mobile and was not assaulted by the accused persons during the course of occurrence. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring his confessional statement which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 30.10.2017.

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, Khagaria in connection with Parbatta (Maraiya) P.S. Case No. 362 of 2017.

(Prakash Chandra Jaiswal, J)

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