

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18905 of 2018

Arising Out of PS.Case No. -289 Year- 2017 Thana -MAUZAHDIPUR District- BHAGALPUR

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1. Bhola Kumar Goswami Son of Ramvadan Goswami Resident of 00, Ram Mandal Lane, Maheshpur, Sakrullachak, near Bagwari, Police Station - Mojahidpur (Babarganj), District - Bhagalpur.
 2. Shekhar Yadav Son of Manoj Yadav
 3. Ritesh Paswan @ Nitesh Paswan S/o Late Mannu Paswan Both 2 and 3 are residents of Mohalla - Maheshpur Sakrullachak, near Bagwari Police Station - Mojahidpur (Babarganj), District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supply Corporation, through its District Manager S.F.C. Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 01-05-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are in custody since 03.11.2017 in connection with Mojahidpur (Babarganj) P.S. Case No. 289 of 2017 for the offence registered under Sections 461 and 379 of the Indian Penal Code later on Section 411 of the Indian Penal Code is added. .

Learned counsel for the petitioners submits that the petitioners are not named in the first information report but subsequently, on the confessional statement made before the



police by one Raj Kumar Yadav in Mojahidpur (Babarganj) P.S. Case 290 of 2017, the petitioner has been taken into custody. It is further submitted that on the basis of such confession, the petitioner cannot be detained in custody, as the same has no evidentiary value. Moreover, there is no recovery from the possession of the petitioners rather the recoveries were made from one Bikas Kumar.

Considering the aforesaid facts and circumstances of the case and the period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 289 of 2017.

(Anjana Mishra, J)

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