

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49652 of 2018

Arising Out of PS. Case No.-213 Year-2018 Thana- BUXAR District- Buxar

Rahul Kumar @ Banti Yadav S/o Ravindra Kumar Singh @ Ravindra Yadav,
R/o Mohalla- Musafirganj, P.S.- Buxar (T), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

**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 393, 307 and 326/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Three unknown motorcycle borne criminals are
said to have demanded money from the informant and one of
them resorted firing below the knee of the left leg. On arrival of
the locals, they made their good escape. During the course of
investigation, petitioner was apprehended and in his
confessional statement, he has confessed that Banti Yadav had
resorted firing upon the informant.

It is submitted by learned counsel for the



petitioner that petitioner has no concern with the aforesaid occurrence. He does not happen to be the assailant. He has not given any confessional statement. Confessional statement recorded by the police has no evidentiary value in the eye of law. Barring the aforesaid disclosure, there is nothing in the record indicating the complicity of the petitioner in the occurrence. There is no eye witness of the occurrence. Injury sustained by the informant is simple in nature. Though two more criminal cases have been lodged against the petitioner, but he is on bail in the said cases. Petitioner has been languishing in custody since 26.06.2018.

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 Chief Judicial Magistrate, Buxar in connection with Buxar (T) P.S. Case No. 213 of 2018.

(Prakash Chandra Jaiswal, J)

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