

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19556 of 2019**

Arising Out of PS. Case No.-92 Year-2018 Thana- OBRA District- Aurangabad

Bigan Singh, Son of Late Ram Keval Singh, Resident of Village - Tangra,
P.S.- Baroon, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mrs.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 24.12.2018 in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case is that on 22.04.2018 the informant, Arvind Kumar Das along with his family members was going on a Scorpio vehicle to Dehri to visit his ailing father and at 11.30 P.M., as soon as he reached near Daudnagar, the tyre of his vehicle got punctured when the driver started replacing the tyre, in the meantime, four miscreants concealing their face came armed with pistol and started dragging the informant and his nephew towards canal. The sister of the informant tried to stop a Bolero vehicle for help and on seeing



the Bolero vehicle stop, the miscreants robbed a purse containing Rs.5,000/-, mobile phone, ATM card and other documents and fled away, leading to registration of the FIR against unknown. The name of the petitioner sprang up during his confession in connection with Barun P.S. Case No. 123 of 2018.

It is submitted by learned counsel for the petitioner admittedly, miscreants were aged 18-25 years whereas in fact, petitioner is aged about 50 years. The petitioner's name sprang from his confession made before the police which does not have evidentiary value. It is further submitted that no recovery has been made from the possession of the petitioner and the petitioner has not been put on I.T. Parade. The petitioner is accused in one more case but he is on bail in that case.

Learned APP submits that the petitioner made confession about commission of the offence.

Considering the fact that the material on record does not suggest that the petitioner has been put on T.I. Parade and no recovery has been made from the possession of the petitioner, let the above named petitioner 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 learned



Sub-divisional Judicial Magistrate, Daudnagar, District -
Aurangabad in connection with Obra P.S. Case No. 92 of 2018.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

