

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20883 of 2019

Arising Out of PS. Case No.-295 Year-2018 Thana- BAHADURGANJ District- Kishanganj

Dilshad, Son of Late Khushruddin, Resident of Village - Dabar, P.S.-
Bahadurganj, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioner is languishing in custody since
16.11.2018 in a case registered for the offence punishable under
Section 379 of the Indian Penal Code.

The prosecution case, as per the written report of
Manoj Kumar Bosak submitted to the Station House Officer of
Bahadurganj Police Station, is to the effect that on 19.10.2018
the informant went to Shiv Temple to see Durga Puja by parking
his Super Spender motorcycle, but on return, he found his
motorcycle missing, leading to registration of the FIR against
unknown. During investigation, the petitioner was apprehended
and made his confession.

It is submitted by learned counsel for the petitioner



that the confession before police has no evidentiary value as there is no recovery from the conscious physical possession of the petitioner and investigation has already been concluded. Though, the petitioner is accused in nine other cases but most of the cases are of similar nature.

Learned APP submits that the petitioner has confessed his guilt before the police.

Considering the fact that there is no recovery from the conscious physical possession of the petitioner and investigation has already been concluded, 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 Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S. Case No. 295 of 2018.

(Dinesh Kumar Singh, J)

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