

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25094 of 2019

Arising Out of PS. Case No.-23 Year-2018 Thana- NAUTAN District- Siwan

Raj Hansh Sah Son of Ram Dhani Prasad @ Dhani Sah, Resident of Village -
Gambhirpur, P.S.- Nautan, Distt.- Siwan

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-07-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Nautan P.S. Case No. 23 of 2018
registered for the offences punishable under Section 392 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR, the name of the petitioner has
transpired in confessional statement of the co-accused Niraj
Kumar Bhagat, however, neither from the possession of Niraj
Kumar Bhagat nor from the house of this petitioner any
incriminating article has been recovered. It is submitted that
prior to the present case the petitioner was never implicated in
any criminal case but on the basis of confessional statement of
the co-accused now the petitioner has also been made accused in



Nautan P.S. Case No. 31 of 2018. Learned counsel submits that save and except the confessional statement there is no other material which may give any reason to believe that petitioner was involved in the alleged occurrence.

Learned A.P.P. for the State is present and has readout the case diary.

Considering the facts and circumstances of the case, wherein the implication of the petitioner is based on the confessional statement of the co-accused alone and there is no recovery of any incriminating article either from the co-accused or from this petitioner.

Let the petitioner above named, in case of his arrest or surrender within four weeks from today in connection with Nautan P.S. Case No. 23 of 2018, be released on bail on execution of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., XII, Siwan, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

vats/ved

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