

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24829 of 2019

Arising Out of PS. Case No.-48 Year-2019 Thana- BANKA District- Banka

Nitish Kumar @ Nitish Yadav, Son Of Shravan Yadav, Resident Of Village-
Dafarpur, P.S.- Barahat, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 31.01.2019 in connection with Banka (Barahat) P.S. Case No.48 of 2019 registered for the offence under Sections 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been apprehended on mere suspicion and thereafter under coercion, confessional statement was recorded before the police, which has no evidentiary value. It is further submitted that till date, no T.I. Parade has been conducted and there was no recovery from the possession of the petitioner.

Considering the fact that the petitioner does not have any criminal antecedent and that he cannot be convicted on the basis of confessional statement made before the police, which



has no evidentiary value, let the petitioner, above named, be released on bail on his 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, Banka in connection with Banka (Barahat) P.S. Case No.48 of 2019.

(Anjana Mishra, J)

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