

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13923 of 2020

Arising Out of PS. Case No.-130 Year-2019 Thana- GURARU District- Gaya

Pintu Yadav Son of Late Kauleshwar Yadav Resident of Village - Gudru, P.S.
Guraru, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jahan Ara

For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 16-06-2020 Heard Ms. Jahan Ara, learned counsel appearing for the petitioner as well as Mr. Akhileshwar Dayal, learned Additional Public Prosecutor for the State through video conferencing.

Petitioner seeks bail in connection with Guraru P.S. Case No. 130/2019 registered for the offences punishable under Sections 341, 323, 448, 376(D)/34 of the Indian Penal Code.

Petitioner is not named in the first information report, which was given to concerned police station on 7.10.2019. Subsequently, the statement of informant was recorded under Section 164 of the Code of Criminal Procedure in which the name of petitioner transpired.

Learned counsel appearing for petitioner submits that the statement of informant was recorded under Section 164 of the Code of Criminal Procedure on 12.10.2019, i.e., after five



days of institution of the present case, and the informant, completely, changed the prosecution story in her statement recorded under Section 164 of the Code of Criminal Procedure. He, further, submits that so far as the confessional statement of other co-accused is concerned, the same is not admissible in evidence.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, 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 1st Additional Sessions Judge, Gaya/concerned court in connection with Guraru P.S. Case No. 130/2019.

(Hemant Kumar Srivastava, J)

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