

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18825 of 2020

Arising Out of PS. Case No.-176 Year-2018 Thana- SOHSARAI District- Nalanda

CHOTTU @ CHINTU @ SUNNY KUMAR Son of Kamlesh Prasad Verma
@ Kamlesh Kumar Verma, Resident of Village- Sugia, P.S.- Sekhpursarai,
District- Sheikhpura. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh
For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-06-2020 Heard both sides through Video Conferencing.

Petitioner seeks bail in Sohsarai P.S. Case No.176 of 2018 registered under Section 392 of the IPC and later on under Section 395 of the I.P.C.

The informant alleged that when he along with his khalasi was proceeding from Kolkata to Patna after carrying plastic dana on his truck bearing registration no.WB-29A-8147 and reached near Sohsarai, one D.C.M. vehicle over took the truck and got the vehicle of the informant stopped. The accused persons ousted the informant from the truck and they fled away from the truck.

Learned counsel for the petitioner submits that the petitioner was arrested in Deepnagar P.S. Case No.271 of 2019 and he was remanded in this case on 13.01.2020. The name of the petitioner figured in the case in the confessional statement of



co-accused person, who stopped the truck but the Investigating Officer for the reasons best known to him did not put the petitioner on T.I.P. It is submitted that after recording of the confessional statements of the petitioner and other accused, the Investigating Officer has collected the evidence and submitted charge sheet although the confessional statement before the police is not at all admissible in the eye of law and it has got no evidentiary value. Save and except the confessional statement, there is no material against the petitioner.

Learned A.P.P., however, opposed the prayer for bail.

Having considered the facts that save and except the confessional statements of the petitioner and another accused recorded by the Investigating Officer, the Investigating Officer did not collect any tangible material to show the involvement of the petitioner, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nalanda (Biharsharif) in connection with Sohsarai P.S. Case No.176 of 2018.

(Prabhat Kumar Jha, J)

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