

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70572 of 2019

Arising Out of PS. Case No.-39 Year-2016 Thana- CHEWARA District- Sheikhpura

Pradeep Kumar Gupta, Son of Sri Kishori Sah Resident of Mohalla- Block Road, Raxaul, P.S.- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Adv.
For the State	:	Mr. Suresh Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 08-07-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner apprehends his arrest in connection with Chewara P.S. Case No. 39 of 2016 registered for the offence punishable under Section 395 of the Indian Penal Code.

No doubt, petitioner is not named in the First Information Report but the name of petitioner surfaced in this case in confessional statement of co-accused.

The present case was lodged in the year 2016 but, up till now Police could not get an opportunity to interrogate the petitioner as the petitioner could not be arrested.

Learned counsel appearing of the petitioner submits that confessional statement of co-accused before Police is no evidence in the eye of law. It is true that the confessional statement of co-accused before Police is no evidence in the



eye of law but the confessional statement of co-accused before Police is relevant for the purpose of investigation and, admittedly, up till now the charge sheet has not been submitted against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this Anticipatory Bail petition stands disposed of with direction to the petitioner to surrender before the Court of learned C.J.M., Sheikhpura within six weeks from the date of receipt/production of a copy of this order and if, petitioner does so and makes prayer for regular bail, the learned C.J.M, Sheikhpura shall dispose of the regular bail prayer of the petitioner on the date of his surrender without being prejudiced by this order.

(Hemant Kumar Srivastava, J)

GAURAV S./-

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