

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75244 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- SHEOHAR District- Sheohar

VIKASH PATEL Son of Nagendra Patel Resident of Village - Sheohar Ward
No.04, P.S.- Sheohar, District - Sheohar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 04-06-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Sheohar P.S. Case No. 191 of 2019, disclosing offence punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

A Medical Officer posted in Primary Health Centre at Sheohar is the informant. He alleged in his written report, addressed to the Officer-in-Charge, Sheohar Police Station, that on 16.08.2019, when he was performing his duties at the Primary Health Centre, some unknown persons came and started indiscriminate firing. Allegedly, he, subsequently received phone calls asking for extortion money.

Learned counsel appearing on behalf of the petitioner



has submitted that, evidently, the FIR was registered against unknown and in course of investigation one Dhiraj Kumar was apprehended by the police, who is said to have made his confessional statement before the police. In his confessional statement, he has disclosed the petitioner's name and names of certain other persons who were involved in the entire episode for pressurizing the informant for payment of extortion money. The petitioner was subsequently apprehended and he too is said to have made his confessional statement before the police.

Learned counsel for the petitioner has submitted that the said so called confessional statements made before the police do not appear to have led to any recovery. He has referred to the statement made in paragraph 3 of the application that the petitioner has no criminal antecedent. The petitioner is in custody since 28.08.2019. There is averment made in paragraph 7 of the application that that till date the petitioner has not been put on T.I. Parade.

Upon perusal of the case diary, I find substance in submission advanced on behalf of the petitioner that there is no indication of recovery of any incriminating material on the basis of confessional statement of the said two persons.

Considering the above, this application is allowed. Let



the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned I/C Chief Judicial Magistrate, Sheohar in Sheohar P.S. Case No. 191 of 2019.

(Chakradhari Sharan Singh, J)

Rajesh/-

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