

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2097 of 2022

Arising Out of PS. Case No.-248 Year-2020 Thana- BARAUNI District- Begusarai

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SUNNY BHARTI Son of Praveen Bharti Resident of - Ward No. -04, Pabra,
P.O.- Manjhaul, P.S.- Manjhaul, District- Begusarai- 851127, Bihar, India.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 392 of the Indian Penal
Code.

Informant alleges that he was intercepted by four
unknown criminals and also waylaid him and looted his
Scorpio, mobile and cash at gun point.

Learned counsel for the petitioner submits that the
petitioner is in custody since 09.11.2021, charge-sheet has been
submitted in the case and petitioner has criminal antecedent of
05 cases.

Learned counsel for the petitioner submits that the
FIR was against the unknown and the name of the petitioner



transpired in the confessional statement of the co-accused, namely, Gulshan Kumar and the petitioner also confessed about the participation in the present occurrence when he was arrested in Bakhtiyarpur P.S. Case No. 182 of 2022.

Learned counsel for the petitioner further submits that confessional statement made in police custody does not have evidentiary value.

Learned counsel for the petitioner submits that the petitioner came to be implicated merely because of his antecedents. Admittedly, despite being in custody he was not put on TIP nor any incriminating material has been recovered from his possession connecting him with the offence.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and taking into consideration the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barauni P.S. Case No. 248 of 2020



(G.R. No. 2285 of 2020) subject to the condition that one of the bailer shall be father of the petitioner i.e. Praveen Bharti.

Further, if the learned court below comes to a conclusion that after release the petitioner is trying to delay the trial of the case, the court below shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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