

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29550 of 2022

Arising Out of PS. Case No.-195 Year-2018 Thana- PATNA RAIL P.S. District- Patna

Rajesh Kumar, S/O Suraj Bhan Resident Of E7/43, Sultanpuri, P.S.-
Sultanpuri, North- West Delhi, Delhi- 110086

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shadab Akhter

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 379 and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant alleges that an unknown person committed theft of his luggage in the train.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that the F.I.R. was against unknown and the petitioner was arrested in one another case in West Bengal and thereafter, he came to be implicated in the present case based on his own confessional statement in the said case. The learned counsel submits that confessional statement in police custody does not have any



evidentiary value. The learned counsel next submits that it absolutely does not stand to reason that if the petitioner had made his confessional statement in the case in West Bengal then definitely the Bengal police would have informed their counter part in Bihar. This also creates doubt with regard to the veracity of the investigation as recorded in the case diary of the present case.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Rail Patna Junction (Rajendra Nagar) P. S. Case No.195 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father namely, Suraj Bhan.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

