

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45367 of 2021

Arising Out of PS. Case No.-11 Year-2020 Thana- CHIRAIYA District- East Champaran

Bittu Kumar Singh @ Bittu Singh Son Of Late Rameshwar Singh Resident Of
Village- Harihara, P.S.- Shikarganj, District- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-01-2022 Heard the learned counsel for the petitioner and the
learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Chiraiya
P. S. Case No.11 of 2020, instituted for the offences under
Section 392 of the Indian Penal Code and Sections 25(1-b)a, 26,
27 and 35 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 06.02.2021 and charge-sheet has
been submitted in the case.

Allegation as alleged in the F.I.R. is that the informant
alleges that he is working as Sangam Manager in Bharat
Financial Inculcation Limited and while the informant along with
Rahul Kumar were returning to the office on motorcycle after
collecting money from the customers, two unknown miscreants



armed with weapons stopped them near Sikarganj petrol pump and after firing took away the key of the motorcycle and also took Rs.90,000/-, Samsung Tab, Biometric from the dicky of the informant's motorcycle and fled away.

The learned counsel for the petitioner submits that the F.I.R. was against unknown. The name of the petitioner transpired in the confessional statement of Satendra Ram and Chandan Kumar. It is submitted that confessional statement does not have any evidentiary value and the petitioner has been falsely implicated based on the confessional statement.

The learned A.P.P. for the State opposes the bail application and submits that petitioner has antecedents as mentioned in Para-3 of the petition.

Considering the fact that the petitioner is in custody since 06.02.2021, charge-sheet has been submitted in the case and his name transpired in the confessional statement of co-accused, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-4, Motihari, East Champaran in connection with Chiraiya P. S. Case No.11 of 2020, subject to condition that one of the bailers shall be



Babita Devi the aunt of the petitioner.

The application stands allowed.

(Satyavrat Verma, J)

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