

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66050 of 2021

Arising Out of PS. Case No.-393 Year-2020 Thana- PATRAKARNAGAR District- Patna

Abhishek Kumar, Son Of Sri Avinash Rai, Resident Of Village- Jandaha, P.S.-
Jandaha, District- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Shivam
For the Opposite Party/s	:	Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The learned counsel for the petitioner submits that the
petitioner is in custody since 05.09.2020, charge-sheet has been
submitted in this case and has antecedent of two cases.

The learned counsel for the petitioner further submits
that the informant alleges that he has a jewellery shop and three
accused disguised as customer came and looted jewellery worth
Rs.15 lacs along with cash, mobile etc.

The learned counsel for the petitioner submits that



F.I.R. was against unknown and the petitioner was arrested in connection with Kankarbagh P. S. Case No.515 of 2020 and in police custody, the petitioner confessed about his participation in the present occurrence. The learned counsel submits that confession made in custody has no evidentiary value. The learned counsel submits that despite the informant being requested to come for identifying the accused in T. I. Parade, but the informant for the reason best known to chose not to appear during the T. I. Parade. The learned counsel further submits that co-accused Bhola Rai @ Chandan Rai has been granted bail by order dated 10.02.2022 in Cr. Misc. No.52967 of 2021 and Gimmi Kumar has been granted bail by order dated 07.03.2022 in Cr. Misc. No.58061 of 2021.

Learned A.P.P. opposes the bail application and submits that the accused, who have been granted bail, does not bear antecedent like that of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in this case and his name transpired inn his own confessional statement while in custody, 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 Court below where the case is pending in connection with Patrakar Nagar P. S. Case No.393 of 2020, with a condition that the petitioner shall be released after framing of charge.

The application stands allowed.

(Satyavrat Verma, J)

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