

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45366 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- KASHICHAK District- Nawada

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Dhanraj Tanti S/o Late Raj Kumar Tanti R/o Village-Kutubpur, P.S.-Rahui,
District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate.

For the Opposite Party/s: Mr.Shyameshwar Dayal, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 02-08-2024 Heard Mr. Birendra Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Shyameshwar

Dayal, learned APP for the State.

2. The petitioner, who is in custody since 21.12.2023,

seeks bail in connection with Kashichak P.S. Case No. 330 of

2023 registered for the offence(s) punishable under Sections 364

and 365 of the Indian Penal Code.

3. As per the allegation made in the FIR, informant

came to know from the footage of CCTV camera that four

unknown persons have forcibly abducted his *Munshi*.

4. Learned counsel appearing on behalf of the

petitioner submitted that petitioner is not named in the FIR and

his name has surfaced in this case on the basis of confessional

statement of other co-accused and the confessional statement

made before the police has no evidentiary value in the eye of

law. It is further submitted that no incriminating article has



been recovered from the possession of the petitioner. Petitioner has clean antecedent and he is in custody since 21.12.2023

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that though the petitioner is not named in the FIR, as the FIR is against unknown, but during the course of investigation, his name came into light, as all the accused persons, who were arrested, had disclosed his name as one of their accomplices in the said offence.

6. Considering the aforesaid submission made on behalf of the petitioner and the fact that the name of the petitioner has surfaced in the case on the basis of confessional statement of co-accused which has no evidentiary value in the eye of law and the petitioner is in custody since 21.12.2023, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Nawada in connection with Kashichak P.S. Case No. 330 of 2023, subject to the condition to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.



7. The present bail petition stands disposed of.

(Purnendu Singh, J)

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