

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21849 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- NEMDARGANJ District- Nawada

Abhishek Kumar S/o Deonath Roy R/o Village- Sakin Maricha, P.S.- Tajpur,
Distt.- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nemdarganaj P.S. Case No. 12 of 2024 registered for the offences punishable under Sections 406, 420, 120B, 379 and 34 of the Indian Penal Code.

3. As per the prosecution story, the informant has alleged that he agreed to hand over his truck bearing Registration No. JH12G1637 to the co-accused – Rahul @ Chhotu on the advice of one driver namely, Basant Yadav. Thereafter, he gave his vehicle to the office of Amar Jyoti as per instruction of the co-accused – Chhotu and accordingly an agreement was made between them @ Rs. 80,000/- per month. When the informant came on 03.01.2024 to the office of Amar



Jyoti, he found his vehicle missing. On query, the co-accused, Chhotu Kumar said that his vehicle has been sent to Sherghati for loading but the informant did not believe and later on, he came to know that the co-accused – Amar Jyoti in collusion with Chhotu and other co-accused sold his vehicle. The informant searched his vehicle several times but he did not find.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. and his name has been figured in this case on the confessional statement of the co-accused namely Ranjit Kumar made before the police. The police took forceful self-confession of the present petitioner by threatening him and it is settled proposition of law that the confessional statement made before the police has no evidentiary value in the eye of law. There is inordinate delay of seven days in lodging the F.I.R. and no proper explanation has been given which amply demonstrate that the whole case is based on suspicion and petitioner has been made scapegoat in this case without any fault. Nothing incriminating has been recovered from the possession of the petitioner and he is in custody since 15.02.2024. Learned counsel also submits that other co-accused persons have been granted bail by the co-



ordinate Bench of this Court.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nemdarganaj P.S. Case No. 12 of 2024.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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

