

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.51063 of 2018**

Arising Out of PS.Case No. -4 Year- 2018 Thana -PATNA RAIL P.S. District- PATNA

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1. Pankaj Kumar son of Sita Ram Choudhary Resident of Bans Kothi  
Digha, Gate No. 93, P.S. - Digha, District - Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Samir Kumar, Adv

For the Opposite Party/s : Mr. Shailendra Kumar-2, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2 31-08-2018

Heard learned counsel for the petitioner and  
learned APP for the State.

Petitioner seeks bail in a case registered for  
the offences punishable under Section 379 of the Indian  
Penal Code and later on 411 & 34 of the Indian Penal Code  
was also added.

The FIR of the occurrence of theft is against  
unknown. The impugned order would reveal that only  
material against the petitioner was confessional statement of  
co-accused which persuaded the learned court below to  
reject the prayer for bail in spite of the fact that confession  
of co-accused before the police has got no evidentiary value  
rather is irrelevant under the provisions of Indian Evidence  
Act.

Hence, let the petitioner, above named, be



released on bail on furnishing bail bond of Rs.20,000/- (Twenty 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 Police Station Patna Junction Case No.4 of 2018, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Kumar, J)**

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