

**(2023) 09 JH CK 0012**  
**In the Jharkhand High Court**  
**Case No : Bail Application No. 7749 Of 2023**

Rakesh Bhuiyan

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

**Date of Decision :** 08-09-2023

**Acts Referred:**

Indian Penal Code, 1860 — Section 392

**Citation :** (2023) 09 JH CK 0012

**Hon'ble Judges :** Ratnaker Bhengra, J

**Bench :** Single Bench

**Advocate :** Sumit Prakash, RRR Das

## Judgement

Ratnaker Bhengra, J

Heard both the counsels.

The petitioner is an accused in this case for the offence registered under section 392 IPC.

The learned counsel for the petitioner has submitted that the petitioner was not apprehended from the place of occurrence and that the name of the petitioner has transpired from the confessional statement of the co-accused, namely, Karan Munda and such confession before the police has no evidentiary value in the eyes of law. No incriminating article has been recovered from the conscious possession of the petitioner. The learned counsel has further submitted that the petitioner has no criminal antecedent. Moreover, the petitioner is in custody since 18.06.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that the name of the petitioner has transpired from the confessional statement of the co-accused.

Having gone through the records of the case and arguments in the facts and circumstances, present petitioner, named above, is ordered to be released on bail

on executing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, East Singhbhum, Jamshedpur, in connection with Golmuri PS Case No. 75 of 2023, subject to the conditions that (i) the petitioner will submit self-attested photocopy of his Aadhaar Card and also submit his mobile number before the learned Court below which he will always keep active and will not change it during pendency of this case without prior permission of the Court and (ii) the petitioner shall also remain present on each and every date of trial before the learned Court below unless dispensed with by the learned Court below.