

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46495 of 2014

Arising Out of PS.Case No. -12 Year- 2011 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

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Jaludin Dewan @ Nanhak Dewan @ Jalaludin Dewan @ Jalwadin Dewan,
Son of Nirodha Dewan @ Nurda Dewan @ Noorhoda Dewan, Resident of
Village - Purania, P.S. - Sikta, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1, Advocate
For the Opposite Party/s : Mr. Md.Sufiyan, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 16-02-2015 Heard learned counsel for the petitioner and the learned
counsel for the State.

The petitioner is in custody since 31.1.2014 in
connection with Sikta P.S. Case No.12 of 2011 registered for the
offences under Sections 20 and 22 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that though
the petitioner is not named in the F.I.R. and that there was no
recovery from the possession of the petitioner, the name of the
petitioner surfaced only on the confessional statement of Sanwar
Alam. It is further submitted on behalf of the petitioner that the
petitioner cannot be implicated and prosecuted solely on the basis
of confessional statement of one accused made before the police.

It is further submitted that similarly situated person, whose name has also been brought on the basis of the said confessional statement, has been extended the privilege of bail by this Court in Cr.Misc. No.39399 of 2013, vide order dated 27.11.2013, whereas the petitioner is languishing in jail for more than one year.

Considering the aforementioned submissions, let the above named petitioner be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional District & Sessions Judge, Bettiah, in connection with Sikta P.S. Case No.12 of 2011 (S.Tr. No.15/2014).

(Anjana Mishra, J)

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