

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48156 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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Md. Shahbaz, Son of Md. Edu Mistry, Resident of Village: Alinagar, P.S. Nagar(Town) Aurangabad, District : Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh- 1, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 24-11-2016 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is in custody since 11.04.2016 on his remand in connection with the present case i.e., Muffasil P.S. Case No.03 of 2016 registered for the offence under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner is not named in the F.I.R., later on when he was in custody in connection with Muffasil P.S. Case No.19 of 2016 on the basis of the confessional statement made before the police by a co-accused, the petitioner has been remanded in connection with the present case. Learned counsel for the petitioner further submits that there was no recovery from his

possession and the entire allegations are false and mischievous. Furthermore, he cannot be prosecuted on the basis of a confessional statement made before the police.

In view of the aforementioned facts and circumstances and that the petitioner has no other criminal antecedents save and except the aforesaid case from which he was remanded in connection with the present case, let the petitioner, above named, 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 Chief Judicial Magistrate, Aurangabad, in connection with Muffasil P.S. Case No.03 of 2016.

(Anjana Mishra, J)

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