

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17808 of 2017

Arising Out of PS.Case No. -242 Year- 2016 Thana -MAIRWA District- SIWAN

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1. Sultan Ahmad @ Sultam Miya son of Ganni Anwar resident of village -
Miskarhi, Police Station - Mairwa, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 08-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Mairwa
P.S. Case No. 242 of 2016 registered for the offences punishable
under Sections 457 and 380 of the Indian Penal Code.

Allegedly, in the house of the informant theft was
committed and after breaking the lock of the room and Suit-case,
gold and silver ornaments were stolen away. During investigation,
Reyazuddin Ansari was caught with some stolen articles and he
confessing his guilt has stated the name of the petitioner also.

Submission is of false implication and nothing has
been recovered from possession of the petitioner. He has not been
named by any witness. The confessional statement made by the



co-accused has got no evidentiary value in the eye of law. The petitioner is suffering in custody since 26.12.2016 and, as such, now he deserves sympathetic consideration.

The learned A.P.P. submits that the name of the petitioner has come in the confessional statement of co-accused.

In the facts and circumstances stated above, the above named petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VII, Siwan in connection with Mairwa P.S. Case No. 242 of 2016 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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