

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21537 of 2017

Arising Out of PS.Case No. -178 Year- 2016 Thana -SABOUR District- BHAGALPUR

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Md. Amjad @ Amjad Sah S/o Md. Mokkim @ Md. Mokim Sah resident of
Chandani Chowk, Fatehpur, P.S. - Industrial/ Zero Mile, District -
Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-06-2017 Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner is languishing in custody since
29.10.2016 in connection with Sessions Trial No. 153 of
2017, arising out of Sabour P.S. Case No. 178 of 2016 for
the offences alleged under Section 364(A) of the Indian
Penal Code.

The prosecution case is that the maternal uncle
of the informant had been kidnapped for ransom of Rs.
one lakh and through different mobile numbers ransom
was demanded.

It has been submitted by the learned counsel
for the petitioner that the mobile, which has been seized



by the police does not belong to him and just because he has been named by co-accused, he has been falsely dragged in the aforesaid offence. He further submits that he bears no criminal antecedent and his confessional statement was taken by the police under pressure, which has no evidentiary value in the eye of law. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner has been named by co-accused and he has confessed his guilt in his own statement, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VII, Bhagalpur in connection with Sessions Trial No. 153 of 2017, arising out of Sabour P.S. Case No. 178 of 2016, subject to the condition that petitioner will appear before the learned Court below during trial on



each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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