

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40652 of 2017

Arising Out of PS.Case No. -77 Year- 2017 Thana -PAHARPUR
District- EAST CHAMPARAN(MOTIHARI)

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MD. SAHID AALAM @ DABLOO MIAN, Son of Wazir Mian, R/o
Village- Majurahan, P.S.- Raghunathpur (Out Post Turkaulia), District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Subodh Kumar Mishra, Advocate
For the S t a t e : Mr. Braj Kishore Prasad, APP
For the Informant : Mr. Pramod Kumar Pandey, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and the

learned counsel for the informant. Learned counsel for the

State is also present.

The petitioner is in custody on his remand since
10.05.2017 in connection with Paharpur P.S. Case No.77 of
2017 registered for the offence under Section 302/34 of the
I.P.C.

It appears from the F.I.R. that the petitioner is not
named therein. Subsequently, persons, who are said to be
inimical terms with the petitioner, have named this petitioner.
It is only on the basis of the confessional statement made
before the police of such persons, that the petitioner's name



has cropped up. Thereafter, the petitioner was made to sign on certain papers, which was subsequently converted into his confessional statement. Learned counsel for the petitioner submits that such statement made before the police cannot be used against the petitioner.

Considering the aforementioned facts and circumstances and that there appears to be no further material, save and except the confessional statement, 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, Motihari, East Champaran, in connection with Paharpur P.S. Case No.77 of 2017.

(Anjana Mishra, J)

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