

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26850 of 2017

Arising Out of PS.Case No. -1177 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Md. Jahid Khan @ Shahid Khan, S/o Abdulla Kuraishi, Resident of
Village- Kowath, P.S.- Dawath, Distt.- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner seeks bail in connection with Sasaram
Model P.S.Case No. 1177 of 2016 registered for the offence
punishable under Section 379 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he had gone to visit show in Auditorium Hall, Sasaram
and parked his motorcycle out side but when he returned, he found
that his motorcycle has been stolen by some miscreants.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R. and only on
the basis of confessional statement of one Monu Khan, as well as



his own extra judicial confessional statement, which has no evidentiary value in the eye of law, he has been made accused. It has been further submitted that nothing has been recovered from his conscious possession and co-accused, Monu Khan has already been granted privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 21853 of 2017 on 22.06.2017. He submits that he was on remand and is in custody in the present case since 22.02.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and materials on record, 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 learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram Model P.S. Case No. 1177 of 2016.

(Nilu Agrawal, J)

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