

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37047 of 2017

Arising Out of PS.Case No. -213 Year- 2016 Thana -ISHAKCHAK District- BHAGALPUR

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Md. Nisar son of Md. Mustaqueem Resident of Kabirpur, Police Station-
Lalmatia (Nathnagar), District- Bhagalpur Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for offence under sections 392 and 411 of the IPC. Allegation is of looting of Identity card, ATM card, Purse having Rs.2900/- and two Samsung Mobile phones and some photographs. FIR was lodged against unknown persons. During investigation, one Md. Kasim was arrested who named the petitioner in his confessional statement.

It is submitted on behalf the petitioner that he has falsely been implicated in this case on the confessional statement of co-accused which has no value in the eye of law. From perusal of the impugned order dated 03.07.2017 it is evident that said Md. Kasim, who named the petitioner in his confession, has also been enlarged on bail by the court below itself. Further, charge sheet



has also been submitted and no recovery has been made from the possession of the petitioner. In paragraph 3 of the bail petition, petitioner has stated that he has also been implicated in four more cases and in most of them he is on bail.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as mentioned above, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate II, Bhagalpur in Ishakchak Police station Case No. 213 of 2016.

(Madhuresh Prasad, J)

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