

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35988 of 2017

Arising Out of PS.Case No. -57 Year- 2016 Thana -MAHKAR District- GAYA

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1. Md. Khalid Naim Son of Late Abdul Nayeem , R/o Mohalla- Shakchi,
Aambagan, P.S.- Shakchi, District- Jamsedpur (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1, Advocate

For the Opposite Party/s : Mr. Asharaf Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 395 of the Indian Penal Code.

The F.I.R. of the occurrence of dacoity is against unknown. Name of the petitioner has transpired in the confessional statement of co-accused.

Submission of the learned counsel for the petitioner is that except the aforesaid there is no other material against the petitioner and on the confession of some accused, petitioner's name has been dragged to other cases also.

Since confession before the police is no evidence



against the co-accused as well as the fact that there is no other material against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Gaya/successor Court in connection with Mahakar Police Station Case No. 57 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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