

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9585 of 2018

Arising Out of PS.Case No. -25 Year- 2017 Thana -PIRBAHOR District- PATNA

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1. MD. MASROOR @ MD. MASROOR ALAM @ SONU MENTAL S/o
Mansoor Alam, R/o Mohalla- Diyawar, P.S.- Karai Parsurai, District-
Nalanda, At present-White-Co Gali in front of Prince Tailor, P.S.-
Peerbahore, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Shankar
Mr. Sanchay Srivastava
Mr. Ravi Prakash
Mr. Anisur Rahman

For the State : Ms. Gulnar Begum, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 05-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 02.02.2017
in connection with Pirbahore P.S. Case No. 25/2017 registered for
the offences punishable under Sections 385/386/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of a
confessional statement made before the police which has no
evidentiary value. He submits that save and except such statement,
there is no further material in the case diary.

Diary in this case was called for which has since been



received.

It appears from the statements made in paragraph No. 47 of the case dairy that one Tausif has taken the name of the petitioner but involvement of the petitioner is not known. Furthermore, such statement made before the police cannot be used against the petitioner.

Having considered the entire facts and circumstances of the case and in view of the fact that in other cases which have been detailed in paragraph No. 3, the petitioner has already been on bail, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Patna, in connection with Pirbahore P.S. Case No. 25/2017.

(Anjana Mishra, J)

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