

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32139 of 2018

Arising Out of PS.Case No. -111 Year- 2018 Thana -GOPALGANJ TOWN District- GOPALGANJ
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Yaqushan Prawej @ Aktion Parvez, Son of Mohamad Aslam Perweez @
Ashlam Prawej, Resident of Village- Takiya Yakub, P.S. and District-
Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Yogendra Prasad Sinha, Advocate.

For the Opposite Party : Mr. Anuj Kumar Srivastava, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-06-2018 Heard learned counsel for the petitioner and the learned
counsel appearing on behalf of the State.

The petitioner is in custody since 07.03.2018 in
connection with Gopalganj P.S. Case No. 111 of 2018 registered
for the offence under Section 414 of the Indian Penal Code and
Sections 25(1-b)(a), 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
name of the petitioner has come in this case on the basis of
confessional statement of co-accused Saddam Ali @ Fahim Ali
who was apprehended by the police and from possession of the
said Saddam Ali @ Fahim Ali, a loaded country made pistol and
one live cartridge was recovered. It is well settled principle that



the petitioner cannot be prosecuted on the basis of confessional statement made before the police by co-accused as the same has got no evidentiary value in the eye of law.

Having taken into consideration all facts and circumstances of the case, 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 C.J.M. Gopalganj, in connection with Gopalganj P.S. Case No. 111 of 2018.

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(Anjana Mishra, J)

