

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23077 of 2018

Arising Out of PS.Case No. -2 Year- 2018 Thana -JALALGARH District- PURNIA

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Md. Zafar Son of Ainul Haque@ Enul Resident of Village- Bakra, P.S.
Jalalgarh, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Smt. Sangeeta Sharma

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 14-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 14.01.2018
in connection with Jalalgarh P.S. Case No. 02/2018 registered for
the offences punishable under Sections 302/201/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is not named in the First Information Report, but only
on the basis of the confessional statement made before the police
by one Md. Sadique, the petitioner has been taken into custody. It
is submitted that such a confessional statement made before the
police has no evidentiary value. It is further submitted that other
similarly situated co-accused persons namely, Md. Sahabuddin has
been released in connection with the present case in Cr. Misc.



No. 17337 of 2018 vide order dated 09.05.2018 and another co-accused Md. Mojahid has also been granted bail in Cr. Misc. No. 17301 of 2018 vide order dated 09.05.2018. It is further submitted that the petitioner has no criminal antecedent and is yet languishing in jail on account of the confessional statement made before the police which has no evidentiary value.

Considering the aforementioned facts and circumstances, 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 S.D.J.M., Purnea, in connection with Jalalgarh P.S. Case No. 02/2018.

(Anjana Mishra, J)

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