

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52644 of 2018

Arising Out of PS.Case No. -82 Year- 2018 Thana -KADWA District- KATI HAR

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Md. Jisan, Son of Md. Suleman, resident of Village- Jigin Bagdar, Police
Station- Kadwa (Balua Belon), District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Adv.

For the Opposite Party/s : Mr. Md. Sufiyan, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 17-09-2018

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

Deceased along with his family members while
were in a way to visit fair, motorcycle borne criminals snatched
away his mobile who was caught hold by him and in course of
scuffle, deceased was shot at as a result of which, he died.
Miscreants leaving behind motorcycle escaped. Subsequently
thereof, owner of the motorcycle was traced out as well as the
owner was residing at Mumbai and in his absence vehicle was
being plied by his younger brother Nanhe @ Ifamul who was
caught hold. During course of investigation, it has also been
traced that aforesaid vehicle was stolen away and subsequently
(Para-59) Md. Nawab and his Sadhu Md. Jisan (petitioner) was
found as pillion driver of the aforesaid vehicle. Then thereafter,
Nawab was apprehended who made inculpatory extra judicial
confessional statement and at his pointing out, firearm having
been used during course of occurrence was recovered from his
Sasural where it was kept by Jisan. Later on, Jisan was also
apprehended who, during course of inculpatory extra judicial



confessional statement had stated that he had sold away the stolen mobile at Delhi.

From the case diary, it is evident that without putting the petitioner and other on TIP, charge sheet has been submitted. Save and except inculpatory extra judicial confessional statement, nothing more survives particularly against the petitioner Jisan.

Accordingly, petitioner Md. Jisan is directed to 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 learned ACJM, IV, Katihar in connection with Kadwa (Baliala belon @ Baliya Belon) P.S. Case No.82/2018.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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