

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24109 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -JAKKANPUR District- PATNA

=====

1. Md. Samshad Alam S/o late Naushad Alam R/o Mohalla- Pulwari Naya
Tola, P.S. Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. (Dr.) Kumar Uday Pratap

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 07-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody on his remand
since 08.07.2017 in connection with Jakkanpur P.S. Case No.
172/2017 registered for the offences punishable under Section 379
of the Indian Penal Code.

Learned counsel for the petitioner submits that it is
only on the basis of the confessional statement of a co-accused
made before the police that the present petitioner is facing
prosecution in connection with the present case. It is submitted
that while in custody in connection with Kankarbagh P.S. Case
No. 429 of 2017 he has been remanded in connection with the
present case. Learned counsel for the petitioner further submits
that such confessional statement made before the police has no
evidentiary value.



In view of 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 A.C.J.M., 1st Patna, in connection with Jakkanpur P.S. Case No. 172/2017, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

Saif/-

(Anjana Mishra, J)

U		T	
---	--	---	--

