

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3035 of 2019**

Arising Out of PS. Case No.-5 Year-2018 Thana- BALIGAON District- Vaishali

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Iftekhhar Alam, S/o Md. Mustafa, Resident of Village- Kabadih, P.S. Baligaon,  
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      28-02-2019                      Heard learned counsel for the petitioner and the  
  
learned counsel appearing on behalf of the State.

The petitioner is in custody since 24.11.2018 in  
connection with Baligaon P.S. Case No.5 of 2018, Sessions  
Trial No.477 of 2018 registered for the offence under Sections  
395 and 412 of the Indian Penal Code.

Learned counsel for the petitioner submits that He  
is not named in the FIR nor has there been any recovery from  
his possession. It is further submitted that on the basis of  
confessional statement by co-accused Faiyaj, the petitioner has  
been taken into custody and since then he is languishing in jail.

Having considered the entire facts and  
circumstances of the case and also that the confessional  
statement made before the police has no evidentiary value and



that the present petitioner was named by one co-accused in his statement made before by the police, 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 Additional Sessions Judge-III, Vaishali at Hajipur, in Sessions Trial No.477 of 2018 arising out of Baligaon P.S. Case No.5 of 2018, subject to the following conditions:

(1) Father will be the bailor of the petitioner.

(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 his 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.

**(Anjana Mishra, J)**

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