

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25535 of 2019**

Arising Out of PS. Case No.-283 Year-2010 Thana- BISFI District- Madhubani

MAZHARUL ISLAM Son of Kalam R/O- Village- Nurchak, P.S.- Biseifi,  
Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Soban Asghar

For the Opposite Party/s : Mr.Tapeshwar Sharma

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

3      19-07-2019                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Bisfi P.S. Case No. 283 of 2010, registered for the offences  
punishable under Section 379 of the Indian Penal Code.

Bolero Vehicle of the informant is said to have been  
stolen from the door of his brother-in-law who happens to be its  
drover.

It is submitted by the learned counsel for the  
petitioner he has no concern with the aforesaid occurrence. He  
has been falsely implicated in this case merely on suspicion.  
Police has made the petitioner accused in this case on the basis  
of confessional statement recorded in some other case under



coercion which has no evidentiary value in the eye of law. Moreover said confession has not led to any recovery. The vehicle was not recovered from his possession and there is nothing cogent on record to indicate the complicity of the petitioner in the occurrence. He is not named in the F.I.R.

Learned A.P.P. for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail in the event of his arrest or surrender before the learned Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Munsif-cum- J.M.1st Class Benipatti, District-Madhubani in connection with Besfi P.S. Case No. 283 of 2010, subject to condition as laid down under Section 438 (2) of the Cr.P.C.

Office is directed to send back the LCR to the Court below forthwith.

**(Prakash Chandra Jaiswal, J)**

T.Kr./-

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