

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6906 of 2021

Arising Out of PS. Case No.-42 Year-2020 Thana- POTHIIYA District- Kishanganj

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SHAMS ALAM ALIAS SHAMS ZAFAR ALIAS MD SHAMS ZAFAR SON
OF LATE ANS ZAFAR @ AHSANUL MUJAFFAR R/O VILLAGE- PIPAL
TORA KUTTI, P.S.- ANGARDH, DISTRICT- PURNEA.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 22-06-2021 Heard the parties in virtual Court proceeding.

The petitioner is languishing in custody for the
offence punishable under Section 392 of the I.P.C.

Petitioner is not named in the FIR of the occurrence of
robbery. Name of the petitioner surfaced in the confessional
statement of co-accused while in the police custody.

Submission is that confessional statement has been
extracted as the petitioner is carrying criminal antecedent.
Petitioner was never put on test identification parade nor any
incriminating article was recovered from his possession.
Petitioner is in custody since 11.06.2020.

Considering lack of sufficient material against the
petitioner in this case, let the petitioner, above named, be



released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Pothia P.S. Case No. 42 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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