

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48971 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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Motiur Rahman S/o Md. Alam R/o village- Bhogari, P.S.- Majhauilya,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Bettiah
Town (Kalibagh O.P.) P.S. Case No. 104 of 2021 instituted for
the offences under Sections 385 and 387 of the Indian Penal
Code

Learned counsel for the petitioner submits that the
petitioner is in custody since 01.04.2021, charge-sheet has been
submitted in the case and has antecedent of two cases as
mentioned in paragraph '3' of the bail application.

Learned counsel for the petitioner submits that
informant who runs a furniture shop alleges that on 14.02.2021
at about 6.00 am he received a call from mobile no. 9783799724



by one person claiming to be Rajesh Singh and the caller demanded extortion of Rs. 20 lakhs.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case based on suspicion, nothing has been recovered from the petitioner, he is not named in the F.I.R. nor the aforesaid mobile belongs to the petitioner, nor the extortion money was paid rather the petitioner was arrested based on suspicion in Majhauriya P.S. Case No. 93 of 2021 in which the petitioner was made to confess about his role in the present case. Learned counsel submits that confession made in police custody has no evidentiary value in the eyes of law.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 01.04.2021, charge-sheet has been submitted in the case, the extortion money was not paid, he was arrested based on suspicion as aforesaid and based on his own confessional statement he came to be implicated, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah,



West Champaran in connection with Bettiah Town (Kalibagh
O.P.) P.S. Case No. 104 of 2021 with a condition that one of the
bailors shall be the father of the petitioner (Md. Alam).

(Satyavrat Verma, J)

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