

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48961 of 2021**

Arising Out of PS. Case No.-207 Year-2020 Thana- NAUTAN District- West Champaran

=====

FARMAN MIAN S/o Late Alijan Miyan @ Alijan Resident of Village-
Tuniya, P.S.- Manuapul, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Nauthan P.S. Case No. 207 of 2020 instituted for the offence
under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 04.12.2020 and charge-sheet has
been submitted in this case.

Allegation is of committing theft of motorcycle of the
informant by unknown miscreants along with Rs.23,000/- which
was kept in the dicky of the motorcycle.

Learned counsel for the petitioner submits that the
FIR is against unknown and the name of the petitioner



transpired in the confessional statement of co-accused Vishal Chaudhary from whose possession the stolen motorcycle was recovered. Learned counsel further submits that confessional statement does not have any evidentiary value in the eye of law.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that petitioner has antecedent of 14 cases of similar nature as mentioned in para 3 and, as such, should not be released on bail.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted, name of the petitioner transpired in the confessional statement of co-accused Vishal Chaudhary and it has been specifically submitted by the learned counsel for the petitioner that in all the cases, the petitioner's name transpired by way of confessional statement only, 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 Judicial Magistrate-1st Class, Bettiah, West Champaran in connection with Nauthan P.S. Case No. 207 of 2020, subject to the condition that one of the bailors shall be the son of the petitioner, namely, Saifali Ansari and further the petitioner will mark his attendance in the concerned police station in between



25th to 30th of every month commencing from February, 2022 till the framing of charge and in the event if the concerned police station reports to the learned court below that the petitioner has not marked his attendance in between the aforesaid dates in any of the month prior to framing of charge, the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

Kundan/-

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

