

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53576 of 2021**

Arising Out of PS. Case No.-87 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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SHAHJADA @ SAHJADA KHAN @ SANKHI SON OF LATE MD.
AFSAR R/O - MOAZZAMCHAK, P.S.- HABIBPUR, DISTRICT-
BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-02-2022 Heard the learned counsel for the petitioner and the
learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with Kotwali
P.S. Case No. 87 of 2021, instituted for the offences under
Section 392 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 02.06.2021, charge-sheet has been
submitted and has a antecedent of one case and allegation is of
looting 1.8 kg of gold from the informant by four unknown
criminals who came on two motorcycles.

The learned counsel for the petitioner submits that
FIR is against unknown and the name of this petitioner came in
the confessional statement of Satyam @ Kare, further no looted
article was recovered from the possession of the petitioner nor



the petitioner was put on T.I. Parade. It is further submitted that confessional statement, as such, does not have any evidentiary value in the eyes of law in absence of recovery of any corroborative material.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact that the petitioner is in custody since 02.06.2021, charge-sheet has been submitted and his name came in the confessional statement and nothing was recovered from his possession nor he was put on T.I. Parade, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhagalpur, in connection with Kotwali P.S. Case No. 87 of 2021, with a condition that one of the bailor shall be the brother of the petitioner (Mohammad Imran @ Md. Imran) and if the petitioner in future get implicated by name in a case of similar nature, the Court below will forthwith cancel his bail bond.

(Satyavrat Verma, J)

sanjeev/-

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