

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63079 of 2021

Arising Out of PS. Case No.-164 Year-2021 Thana- KISHANGANJ District- Kishanganj

FIROZ ALAM @ FIROZ Son of Late Enamul Haque Resident of Village -
Panta Para, P.S.- Gwalpokhar, District - Uttar Dinajpur, W.B.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered 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 19.06.2021, charge-sheet has been
submitted and has antecedent of three cases and the informant
alleges that he was intercepted by four unknown accused
persons who looted the informant of his motorcycle along with
Rs.22,00/-, further, the informant also alleged that he can
identify the accused persons after seeing them.

The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case based
on his antecedent, the FIR is against unknown, the petitioner has



not been put on T.I. Parade and nothing has been recovered from his possession. It is also submitted that the petitioner was arrested in Kishanganj P.S. Case No. 167 of 2021 and he was made to confess about his participation in the present occurrence, it is submitted that confession under the police custody does not have any evidentiary value.

The learned A.P.P. vehemently opposes the bail application and submits that that the petitioner has antecedent of three serious cases.

Considering the fact the petitioner is in custody since 19.06.2021, charge-sheet has been submitted and he was not put on T.I. Parade and was made to confess his guilt in police custody, 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 Court below where the case is pending in connection with Kishanganj P.S. Case No. 164 of 2021, with a condition that one of the bailor of the petitioner shall be the brother of the petitioner (Firdosh Alam).

Further, if the petitioner is implicated in a case of similar nature and the same comes to the notice of the learned Court below, the learned Court below shall forthwith cancel his



bail-bond.

The application stands allowed.

(Satyavrat Verma, J)

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