

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49778 of 2023

Arising Out of PS. Case No.-803 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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MD. SABBIR DEWAN @ SABIR DUBEY @ SABIR DEWAN Son of Piyaji
Mian Resident of Village - Ghora Sahan Ward No.- 04, P.S.- Ghora Sahan,
District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii

For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 461, 379 of
the Indian Penal Code.

3. According to the FIR, prosecution case relates to
theft of several mobile phones along with thirty thousand cash
from the shop of the informant. Thereafter, the present case was
lodged.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
prosecution case lodged against unknown. The petitioner has
falsely been implicated in this case on the basis of his own



confessional statement in another case Ghora Sahan P.S. Case No. 612 of 2022. It is further submitted that confession before police is inadmissible in the eye of law. No any looted materiel has recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 18.11.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Motihari P.S. Case No. 803 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari at East Champaran.

(Sunil Kumar Panwar, J)

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