

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13368 of 2018

Arising Out of PS.Case No. -223 Year- 2017 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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Md. Chhotu, Son of Late Kamal, Resident of Village- Chainpura, P.S.-
Bihar Sharif, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 12-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Section 394 of the
Indian Penal Code.

Petitioner's counsel submits that the mobile phone
which has been recovered from him and which forms the basis of
his implication in this case as per Para 35 of the case diary cannot
be said to be the mobile phone allegedly stolen as per the
informant's case. He submits that merely because of his criminal
antecedent he has been implicated in this case on suspicion.
Though he has not stated in Para 3 of the application but he has
instruction that the petitioner in all four cases mentioned in Para 3
is on bail. He is in custody since 06.11.2017.

In the facts and circumstances of the case, prayer for



bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Biharsharif** in **Sohsarai P.S. Case No. 223 of 2017** subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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