

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13292 of 2018

Arising Out of PS.Case No. -254 Year- 2017 Thana -CHENARI District- SASARAM (ROHTAS)

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Sunil Pandey S/o Sheo Shankar Pandey, R/o Village- Barkadih, P.S.- Baddi
(Sheosagar) District- Rohtas. Petitioner/s

Versus

The State of Bihar ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kanhaiya Pandey, Advocate

For the Opposite Party/s : Mr. Sri Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 12-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Section 392 of the
Indian Penal Code.

It is submitted on behalf of the petitioner that having
no criminal antecedent he has falsely been implicated in this case
merely on suspicion. It is submitted that Para 25 and 26 of the
case diary reveals that the stolen mobile which is said to have been
recovered from the petitioner's possession is also on the basis of
suspicion, as the investigation has revealed that possession of the
mobile phone was earlier with another person namely, Kunti Devi
and subsequently the same has been attributed to the petitioner's
possession on extraneous consideration. The seizure list has not
been prepared in accordance with procedure prescribed



under Cr.P.C. The petitioner is in custody in connection with this case since 11.01.2018.

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 **Learned Additional Chief Judicial Magistrate-II, Sasaram, Rohtas** in connection with **Chenari P.S. Case No. 254/2017** 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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