

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3927 of 2019

Arising Out of PS. Case No.-153 Year-2018 Thana- BHAWANIPUR District- Purnia

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Santosh Kumar Patel, aged about 25 years/M, S/o Laxman Mandal @
Lachhaman Mandal, Resident of village Balsota Dhar, P.S. Alamnagar,
District Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 29-03-2019 Heard learned counsel appearing for the petitioner
as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 395 of the Indian Penal
Code.

A dacoity was committed and, in that course,
mobiles and cash were looted and, accordingly, case was
lodged against five unknown culprits. However, on the basis of
call detail records of looted mobile's I.M.E.I. number was
detected and, thereafter, it was also detected that another
S.I.M. was used in the aforesaid mobile and the aforesaid
S.I.M. stood in the name of petitioner. Subsequently,



petitioner was arrested and made his confessional statement and, allegedly, the looted Samsung mobile as well as looted cash were recovered from possession of the petitioner.

Submission on behalf of the petitioner is that nothing was recovered from the conscious possession of the petitioner and, as a matter of fact, he has been implicated in this case by police. It is also submitted that having more or less similar allegation co-accused Sagar Kumar has already been granted privilege of bail by a Co-ordinate Bench of this Court *vide* order dated 13.2.2019 passed in Cr. Misc. No. 8217 of 2019, whereas petitioner is in jail custody since 23.7.2018.

No doubt, petitioner does have criminal antecedents but, admittedly, petitioner was not put on test identification parade and except the above stated recovery as well as criminal antecedents, there appears to be nothing against him. The investigation against the petitioner has already been completed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Purnea in connection with Bhawanipur (Akbarpur) P.S. Case
No. 153 of 2018.

(Hemant Kumar Srivastava, J)

Spd/-

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