

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47236 of 2019**

Arising Out of PS. Case No.-149 Year-2018 Thana- CHANDI District- Nalanda

SONU GOPE @ SONU KUMAR GOPE, Son of Shankar Yadav @ Shankar Gope Resident of Village - Mehendi Bigaha, P.S. - Chandi, District - Nalanda at Biharsharif

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      01-08-2019                      Today, petitioner has filed supplementary affidavit which is kept on the record.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

Allegation is that unknown miscreants snatched mobile phone of the informant. The said phone was recovered from the bed of this petitioner.

Submission is that there is non-compliance of requirement of Section 100 Cr.P.C. inasmuch as no witness of locality has witnessed the seizure nor there is statement that any such witness was not ready to be a witness. Further submission is that petitioner was never put on Test Identification Parade.



Petitioner is in custody since 01.03.2019. Investigation of the case is already complete.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chandi Police Station Case No. 149 of 2018, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

**(Birendra Kumar, J)**

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