

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9403 of 2020

Arising Out of PS. Case No.-1363 Year-2019 Thana- NAWADA District- Nawada

GULSHAN KUMAR @ GULSHAN DOM, aged about 22 years, Male, S/o
Vijay Dom R/o village- Patel Nagar, Ward No. 20, P.S.- Warisaliganj, District-
Nawada ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Kumar Verma, Adv.
For the Opposite Party : Mr. Tarkeshwar Nath Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Nawada
Town P.S. Case No. 1363 of 2019, registered under Section 392
of the Indian Penal Code.

The accusation is that while the informant, Akhilesh
Kumar, was in the way, at that time, three unknown pointed the
pistol at him and took his mobile phone and cash of Rs.100/-.
Informant also detailed the physique of three culprits.

Submission is that on the basis of fardbeyan of
Akhilesh Kumar, Nawada Town P.S. Case No. 1363 of 2019,
under Section 392 of the Indian Penal Code on 22.11.2019
against three unknown has been registered. In course of
investigation, on the basis of Call Data Record (CDR) of stolen
mobile, the mobile set was recovered from the possession of the



petitioner and the petitioner was remanded in this case on 07.12.2019. Further, submission is that in fact the mobile, which was found from the possession of the petitioner was not a purchased mobile of the petitioner, but the same was found lying in the way and petitioner had no knowledge that the mobile, which was lying on the way, was a stolen material. Further, submission is that while the petitioner has detailed the physique of the culprit in his fardbeyan, but, the petitioner has not been put on test identification parade while he is in custody since 07.12.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Nawada Town P.S. Case No. 1363 of 2019 to the satisfaction of the Chief Judicial Magistrate, Nawada.

(Rajendra Kumar Mishra, J)

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