

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14710 of 2022

Arising Out of PS. Case No.-68 Year-2021 Thana- SANJHOLI District- Rohtas

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Dhanjee Paswan @ Amresh Kumar Son of Ramdeo Ram @ Rajdeo Ram
Resident of Village - Garura, P.s.- Agrer, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subash Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sanjholi
P.S. Case No. 68 of 2021 registered for the offence under
Sections 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 22.08.2021.

The allegation against the petitioner is to commit
robbery, where charge-sheet has been submitted for dacoity and
while committing so taken away mobile phone and Rs. 30,000/-
(Rupees Thirty Thousand) in cash belongs to the informant.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Vikash Kumar, where, during the course of investigation, mobile phone was alleged to be recovered from the possession of this petitioner. It is submitted that on the basis of said recovered mobile, petitioner cannot be implicated in present case for the reason that the IMEI number of recovered mobile was not matched with IMEI number, as mentioned through F.I.R. It is also submitted that petitioner purchased the recovered alleged mobile from one Vikash Kumar against reasonable consideration, where there was no reason to believe that alleged mobile was stolen property. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as IMEI number of recovered alleged mobile is not matching with IMEI number as mentioned in F.I.R., where petitioner is in custody since 22.08.2021 coupled with the fact that charge-sheet has already been submitted, let the petitioner,



above named, is directed to be released on bail in connection with Sanjholi P.S. Case No. 68 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-11, Rohtas at Sasaram/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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