

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62819 of 2022

Arising Out of PS. Case No.-392 Year-2022 Thana- PHULWARISHARIF District- Patna

MAYANAND PANDIT Son of Siddeshwar Pandit R/V- Miyan Bigha, P.S-
Nardiganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 20-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363, 365 of the Indian Penal Code.

As per prosecution case, the informant alleged that his father Awadhesh Bharti, aged about 45 years, had gone missing since 18.4.2022 who has not been traced out as yet. Thereafter, the informant lodged the FIR against unknown regarding abduction of her father.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The prosecution case has been lodged against unknown and the petitioner has falsely been implicated in this case on the basis of



suspicion. It is further submitted that mobile phone of informant's father was recovered from house of the petitioner which was found by the petitioner in abandoned stage at roadside thereafter, he used the said mobile by inserting his own SIM card after throwing the original SIM card and on the basis of same, his name transpired in this case. Except this, no any consistent material has come on record which suggests the complicity of the petitioner. The petitioner has no manner concern with the alleged offence or with the missing person. He has got no criminal antecedent as stated in para-3 of the petition. It is further submitted that the petitioner is languishing in judicial custody since 10.6.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the mobile phone of the missing person was being used by the petitioner and the same was recovered from house of the petitioner.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Phulwarisharif P.S. Case No. 392 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with



two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate-XIV, Patna.

(Sunil Kumar Panwar, J)

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