

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7228 of 2024

Arising Out of PS. Case No.-852 Year-2023 Thana- SONEPUR District- Saran

Shailesh Kumar Chunchun @ Jemator Son Of Bali Rai Resident Of Village -
Parvejabadh, P.S. Sonpur (Sonepur), District - Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sonpur (Sonepur) P.S. Case No. 852 of 2023 lodged on
08.09.2023 under Section 392 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against three unknown accused persons against whom
there is an allegation that they have looted the motorcycle,
mobile phone and cash from the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Neither
any incriminating article has been recovered from the
possession of the petitioner nor the petitioner has been put on
Test Identification Parade. The petitioner is in custody since



18.10.2023 and is accused in three more criminal cases, in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail and submits that the name of the petitioner has come by virtue of confessional statement and the order rejecting bail application of the petitioner suggests recovery of mobile phone, motorcycle and the person from whose possession, the said article has been recovered, have suggested that they have purchase the same from the petitioner.

6. Upon specific query from the counsel for the petitioner that whether the charge has been framed or not, he submits that as per his knowledge, the charge has not been framed.

7. Considering the fact that the offence is triable by a Magistrate, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saran at Chapra, in connection with Sonpur (Sonepur) P.S. Case No. 852 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

8. The learned court below shall release the petitioner



on bail only after framing of charge, if not framed as well as on being satisfied that the petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as under :-

- 1. Sonpur (Sonepur) P.S. Case No. 278/2020.
- 2. Sonpur (Sonepur) P.S. Case No. 428/2020
- 3. Sonpur (Sonepur) P.S. Case No. 392/2021

(Dr. Anshuman, J)

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