

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28378 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -SAHAJITPUR District- SARAN

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Raju Kumar Kushwaha son of Janardan Singh Resident of Village-Sheikhpura,P.S. - Sahajitpur District- Saran

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 27-09-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Section-394 of the Indian Penal Code.

Petitioner is not named but in course of investigation, on the basis of CDR, the investigating officer came to know that looted mobile was being used through Sim No. 7277749652 and then on verification, it was found that the aforesaid Sim stood in the name of Chanda Devi but again, it was detected that the looted mobile was being used by Sim 9504319944 and, accordingly, on the aforesaid basis, the petitioner was arrested and, looted mobile and the said Sim were recovered from his possession.

Learned counsel for the petitioner submits that one

Wazir Alam @ Guddu was arrested and, when the investigating officer interrogated him, the aforesaid Wazir Alam @ Guddu stated that the seized mobile was lying in a field, which was picked up by him. Further submission on behalf of petitioner is that as a matter of fact, the petitioner too, found the mobile lying in a field and unfortunately, he was caught and roped in this case by the police. It is further submitted that except the recovery of aforesaid so-called looted mobile, there is nothing against the petitioner in the entire case diary and moreover, the petitioner does not have any criminal antecedent.

Accordingly, the petitioner named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sahajitpur P.S. Case No. 31 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra.

(Hemant Kumar Srivastava, J)

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