

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48991 of 2016

Arising Out of PS.Case No. -137 Year- 2016 Thana -KHAIRA District- SARAN

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MD. EKBAL S/O NOOR ALAM MIYA VILLAGE - KHAIRA, P.S.
KHAIRA, DISTRICT SARAN

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Bishwajeet Singh, Adv.

For the Opposite Party/s : Mr. Sri Narsingh Tanti, Adv.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 11-01-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

There was theft in the mobile shop of informant by the unknown criminals and during course thereof, battery, inverter, printer, lamination machine, laptop, mobile set, Samsung memory etc. including cash appertaining to rupees five thousand, one hand pine was stolen away. The police during surveillance found the stolen mobile set being used by one Md. Hanif who was apprehended and from whose possession stolen mobile set was recovered. Furthermore, as is evident he disclosed that aforesaid mobile was given by the petitioner whom he had entrusted his mobile for repairing.

Accordingly, petitioner was apprehended. At that very occasion petitioner had not disclosed anything. After apprehension of one Suleman Sai he made inculpatory extra judicial confessional statement and during course thereof disclosed that so many mobile sets were given to the petitioner for sale which might be along with him. Then thereafter again shop of petitioner was searched in his presence and one another mobile set was recovered from his shop, being stolen property of the present case. Petitioner happens to be



under custody since 20.09.2016. Having no criminal antecedent as disclosed under para-3 of the petition.

In the aforesaid facts and circumstances of the case petitioner, Md. Ekbal is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned ACJM, Xth, Saran in connection with Khaira (Nagra O.P.) P.S. Case No.137/2016, with a condition that there would be an undertaking on behalf of the petitioner that he will not indulged himself in any kind of illegal activity. In case so found, the learned lower court will be at liberty to pass appropriate order.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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