

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17618 of 2017

Arising Out of PS.Case No. -311 Year- 2016 Thana -DARIYAPUR District- SARAN

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1. Arman Khan @ Bahadur Khan @ Safai Miyan Son of Aash Mohamad,
Resident of village - Bela Mathiya, P.S. Dariyapur, District - Saran at
Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Narayan, Adv.

Mr. Jeetendra Narayan, Adv.

For the Opposite Party/s : Mr. Sri Surendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 04-05-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Dariyapur P.S. Case No. 311/2016 was instituted on
15.12.2016 under Section 461 and 379 of the Indian Penal Code in
respect of committing theft of 60 pieces new mobiles and 50
pieces old mobiles from the mobile shop of the informant Mukesh
Kumar Sharma.

Submission is that the petitioner is not named in the
FIR. In course of investigation, one Lal Mohammad was
apprehended by the police with two looted mobile sets, who
disclosed in his confession that both mobile sets were purchased
from this petitioner. Thereafter, house of the petitioner was



searched, from where, two mobile sets are said to have been recovered, but the two mobile sets, which were recovered from the house of the petitioner were not the stolen mobile as the IMEI number, as detailed in the FIR, of the mobile sets is not tally with the mobile sets recovered from the house of the petitioner. The petitioner has no criminal antecedent and he is in custody since 12.01.2017. Further submission is that the petitioner was accused in Dariyapur P.S. Case No. 23/2010, in which he has been acquitted by the court below.

Having regard to the facts and the circumstances of the case, the petitioner, Arman Khan @ Bahadur Khan @ Safai Miyan, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IV, Saran at Chapra, in connection with Dariyapur P.S. Case No. 311/2016.

(Rajendra Kumar Mishra, J.)

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