

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31829 of 2018

Arising Out of PS.Case No. -932 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Roushan Yadav @ Roushan Kumar Yadav @ Raushan Kumar Yadav @
Prabhat Kumar Yadav, Son of Sri Birendra Yadav @ Virendra Yadav,
Resident of Village Kathara, Ward No. 10, Police Station- Forbesganj,
District- Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mritunjay Kumar, Advocate.

For the Opposite Party : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-06-2018 Heard learned counsel for the petitioner and the learned
counsel appearing on behalf of the State.

The petitioner is in custody since 09.01.2018 in
connection with Forbesganj P.S. Case No. 932 of 2017 registered
for the offence under Sections 461, 379 of the Indian Penal Code.
Later on, Section 411 of the Indian Penal Code was also added.

Learned counsel for the petitioner submits that as per
F.I.R., some new mobile phones were stolen from “Shrishti
Mobile Show Room” belonging to the informant situated at Sadar
Road and certain I.M.E.I. numbers have been given alongwith the
said F.I.R. It is further submitted that after certain enquiries, one
Rohan @ Lalu Kumar was apprehended who is alleged to have



been using one of the stolen mobile phones. So far as the petitioner is concerned, it is on the confessional statement made before the police by the said Rohan @ Lalu Kumar that he had purchased the same from the present petitioner and that the petitioner was taken into custody and certain other mobile phones were recovered from his conscious possession. Learned counsel for the petitioner further submits that all the mobile phones allegedly recovered from his possession are old mobile phones and they have no connection with the stolen mobile phones. It is further submitted that the said recovered mobile phones have not been put on T.I.P.

In view of the facts and circumstances and the alleged recoveries are of old mobile phones whereas allegation is of theft for mobile phones from Mobile Show Room, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Araria or its available successor Court, in connection with Forbesganj P.S. Case No. 932 of 2017, G.R. Case No. 3871 of 2017.

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(Anjana Mishra, J)