

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23081 of 2018

Arising Out of PS. Case No.-115 Year-2017 Thana- RAUTA District- Purnia

Masoom Rahi @ Masoom Rah, Son of Ghulam Mustafa, Resident of Village-
Parsarai, P.S. Amour, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-04-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 461 and 379 of the IPC.

The prosecution case as per the written report submitted by Pawan Kumar to the S.H.O., Rauta Police Station is to the effect that on 16.10.2017 in the night, some unknown persons committed theft in the mobile shop of the informant. The thieves took away 28 pieces of mobile and Rs. 9000/- cash. From the C.C.Tv. footage, the identity of the miscreants could not be ascertained, since they had concealed their face. The FIR was lodged against unknown. The name of the petitioner sprang up during investigation, when on seeing police personnel, the petitioner threw a mobile in which a particular SIM was used



and escaped from the scene.

It is submitted by learned counsel for the petitioner that there is no recovery from the petitioner, but maliciously, the police is chasing the petitioner. Other similarly situated accused persons have been granted bail by the learned Court below itself. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that during investigation, complicity of the petitioner has transpired.

Considering the accusation based on circumstantial nature of evidence, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Purnea in connection with Rouda P.S. Case No. 115 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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