

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No 16830 of 2018**

Arising Out of PS.Case No. -232 Year- 2017 Thana -KUMARGHAND District- MADHEPURA

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Md Murtuza Son of Late Astalli Mian @ Abdul Jalil Resident of Village  
Nandan (Nandana) P.S. Zadiya, District Supaul.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr Dinesh Prasad Verma, Advocate

For the S t a t e : Mr Humayou Ahmad Khan, APP

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**3      27-04-2018**

Heard learned counsel for the petitioner and the  
learned APP for the State.

Petitioner seeks bail in a case registered under  
Sections 392/34 of Indian Penal Code.

Having no criminal antecedent, the petitioner, it is  
submitted, has been made accused in this case because a stolen  
mobile phone was allegedly recovered from his possession. It is  
further submitted that the petitioner is a bona fide purchaser of the  
said mobile phone from one Md Imtiyaz @ Thalli and that he has  
falsely been implicated in this case only on the basis of suspicion  
and his own confessional statement. He is in custody since  
16.01.2018.

Considering the aforesaid submissions, prayer for



bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Madhepura in Kumarkhand Police Station Case No 232 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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