

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10670 of 2019

Arising Out of PS. Case No.-728 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

MD. LADLA Son of Md.Jainul Resident of Hussainpur, Police Station-
Mojahidpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 1.11.2018 (though it is mentioned in the impugned order as 22.11.2018) in a case registered for the offences punishable under Sections 379, 411 and 356 of the I.P.C.

The prosecution case as per the written report of Pankaj Kumar Das dated 31.10.2018 submitted to the SHO, Bhagalpur Kotwali Police Station is to the effect that on 31.10.2018 at 7.00 P.M. when the informant missed the train, he was returning but in the meantime, he was robbed of his mobile phone. It is alleged that two persons were caught on chase who disclosed their names as, co-accused Md. Modarsir and Md. Ladla (petitioner) and when they were searched, the mobile phone of



the informant was recovered from co-accused Md. Modarsir which was robbed by the petitioner.

It is submitted by learned counsel for the petitioner that the alleged mobile phone was not recovered from the physical possession of the petitioner and the investigation has already been concluded. It is further submitted that the petitioner was earlier made accused in one case in which he is on bail.

Learned APP submits that the petitioner was apprehended on spot.

Considering the fact that though the petitioner was apprehended on spot but the alleged mobile phone was not recovered from the physical possession of the petitioner, coupled with the period under custody, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Bhagalpur Kotwali P.S. Case No.728 of 2018.

(Dinesh Kumar Singh, J)

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