

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38296 of 2019

Arising Out of PS. Case No.-407 Year-2011 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

=====

Rafiqueuddin @ Md. Rafiqueuddin, Son of Late Md. Jamaluddin, Resident of
Mohalla- Bhikanpur Tank Lane Near Hatiya, Police Station- Ishakchak,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Senior Advocate
		Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s	:	Mr. Ahmad Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-09-2019 This is an application for grant of anticipatory bail in

connection with Kotwali (Tilkamanjhi) P. S. Case No. 407 of

2011, disclosing offences under Sections 461 and 379 of IPC.

Allegation of commission of theft of the mobiles
phones and sim cards and cash from the shop of the informant.
Nobody named in the F.I.R. Later on, petitioner was
apprehended in this case, as he was using one of the Sim and
two mobiles phones were also recovered. It further appears that
petitioner was released on giving benefit of Section 41(1) of
Cr.P.C. itself.

Submission of the learned counsel for the petitioner is
that he has falsely been implicated in this case. The recovered
mobiles phones are of the petitioners and earlier he was given



benefit of Section 41(1) of Cr.P.C. as such, he has not appeared.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, surrender before the court below within two weeks from the date of receipt of certified copy of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of Smt. Radha Kumari, learned Judicial Magistrate, Ist Class, Bhagalpur, in connection with Kotwali (Tikamanjhi) P. S. Case No. 407 of 2011, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

