

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62611 of 2019**

Arising Out of PS. Case No.-121 Year-2019 Thana- ASHTHAWAN District- Nalanda

CHANDAN KUMAR Son of Anil Kumar Chakrawarty Resident of Village-
Balwa, P.S.- Nagarnausa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Adv.

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 25-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
26.07.2019 in a case registered for the offence punishable
under Sections 392 and 411 of the Indian Penal Code.

The prosecution case as per the informant is that on
27.05.2019 at about 7.00 P.M. while an employee of the
informant, namely, Rahul Kumar, after collecting money from
different persons, was returning from Barbigha to Biharsharif
on a Maruti Car, on the way, two motorcycle borne miscreants,
got his vehicle stopped and on the point of pistol robbed cash
amount of Rs. 1,09,047/-, two mobile phones and other
articles, leading to registration of FIR against unknown. The
name of the petitioner sprang up during investigation



subsequently one of the stolen mobile phone and cash were recovered from the shop of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is the *bona fide* purchaser of the alleged mobile phone from one Sonu Kumar. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that one robbed mobile phone was recovered from the conscious physical possession of the petitioner.

Considering the nature of recovery coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned ACJM-6, Bihar Sharif (Nalanda) in connection with Asthawan P.S. Case No. 121 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

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