

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80453 of 2019**

Arising Out of PS. Case No.-229 Year-2018 Thana- KIUL RAIL P.S. District- Lakhisarai

Vikash Kumar, aged about 22 years, Gender- Male, Son of Shiv Kumar Sharma @ Shivkumar Chintaman Sharma, Resident of village - Teliya Dih, P.S.- Jhajha, Distt.- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

Mr. Mayank Bilochan, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT**

Date : 07-01-2020

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

2. The petitioner apprehends arrest in connection with G.R.P. Kiul P.S. (Barahiya P.P.) Case No.229 of 2018 dated 10.10.2018 instituted under Section 379 of the Indian Penal Code.

3. The allegation against the petitioner is that he had produced one mobile phone, which was subject matter of a case of theft along with other articles.

4. Learned counsel for the petitioner submitted that he had found the said mobile in his field during farming and had thus, produced it before the police station. It was submitted that because of the bonafide of the petitioner, the police had not arrested him. It was further submitted that he had produced the



mobile in question before his local police station from where it was forwarded to GRP Kiul P.S. Learned counsel submitted that the petitioner does not have any other criminal antecedent and had he been involved, he himself would not have produced the mobile before the police.

5. Learned APP submitted that the stolen mobile has been recovered from the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within four weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the R. J. M., Kiul, Lakhisarai, in G.R.P.S. Kiul P.S. (Barahiya P.P.) Case No.229 of 2018 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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