

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33791 of 2021**

Arising Out of PS. Case No.-216 Year-2020 Thana- AURAI District- Muzaffarpur

MD. IRSHAD @ MD. IRSAD Son of Ali Muddin @ Md. Alimuddin
Resident of Village - Chandiha, P.S.- Aurai, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Shamimul Hoda, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 22-12-2021 Heard Mr. Shamimul Hoda, learned counsel for

the petitioner and Mr. Surendra Kumar, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Aurai P.S. Case No. 216 of 2020 registered for the offences
punishable under Sections 379 and 414 of the Indian Penal
Code 1860.

The allegation in short is that a theft was
committed in the Mobile shop of the informant and
unknown persons stolen the Mobile phone, its accessories,
ear phone, repairing machine, lap-top, Mobile SIM etc.
worth Rs.4,00,000/- and cash of Rs.15000/-.

Learned counsel for the petitioner submits that the



petitioner is not named in the First Information Report. Learned counsel further submits that the name of the petitioner has transpired on the basis of recovery of one stolen Mobile phone from his possession. He also submits that the Mobile phone which was recovered from possession of the petitioner, was purchased by the petitioner as a *bona fide* purchaser and he is in custody since 28.12.2020. He next submits that charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 28.12.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of Shri Shambhu Kumar Gupta, learned Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Aurai P.S. Case No. 216 of 2020.

It is made clear that at the time of furnishing bail



bonds all the parties shall follow the guidelines regarding
social distancing.

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(Anil Kumar Sinha, J)

