

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40397 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- KUNALI District- Supaul

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1. Nandlal Kumar Mukhiya, son of Deo Narayan Mukhiya, Resident of Village Sikarhatta, P.S. Kunali (Dagmara), District Supaul
 2. Siyaram Choupal, son of Sukhram Chaupal, Resident of Village hariharpur, Ward No. 15, P.S. Kunauli (Dagmara), District Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 30-04-2021 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State, through Video Conferencing.

The petitioners seek regular bail in connection with Kunauli (Dagmara) Police Station Case No. 61 of 2020, disclosing offences under Sections 380/457 of the Indian Penal Code.

The allegation, as per the First Information Report, is that several mobile phones were stolen from the mobile shop of the son of the informant and the son of the informant came to know about the theft of the mobile phones from inside his shop when he visited his shop on 15.06.2020, at 08:45 AM.

Learned Counsel for the petitioners submits that the



petitioner have falsely been implicated in this case and they are not named in the First Information Report. He next submits that the names of the petitioners have transpired on the basis of the confessional statement of co-accused Dharmendra Kumar, who disclosed the names of the petitioners and one mobile phone each has allegedly been recovered from the possession of the petitioners. He next submits that the fact of the matter is that the petitioners had purchased the mobile phones from co-accused Dharmendra Kumar and they were not involved in the theft of the mobile phones from the shop of the son of the informant. He also submits that the petitioners have got no criminal antecedent and they are in custody since 25.06.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioners are in custody since 25.06.2020, having no criminal antecedent and only one mobile phone each has been recovered from the possession of the petitioners, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate, 1st Class, Birpur, Supaul, in connection with Kunauli (Dagmara) Police Station Case No. 61 of 2020.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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