

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39964 of 2021

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

MD. ARMAN RAIEN Son of Md. Shamim Raien @ Samim Rain Resident of
Village- Charpurwa Aurai, P.S.- Aurai, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Aurai Police Station Case No. 216 of 2020, registered for the
offences punishable under Sections 379/414 of the Indian Penal
Code.

The prosecution case, as per the First Information
Report, is that a theft was committed in the mobile shop of the
informant and some unknown persons stolen the mobile phones,
its accessories, ear phones, repairing machine, lap-top, Mobile
SIM etc. worth Rs.4,00,000/- and also a cash of Rs.15000/-.

Learned Counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he has falsely been
implicated in this case on the basis of the alleged recovery of



one stolen mobile phone. She further submits that the petitioner was the bona fide purchaser of the alleged mobile phone and was not aware about the fact that the mobile phone, in question, was stolen one. She further submits that similarly situated co-accused, from whose possession also, one stolen mobile phone was recovered, has been granted bail by this Court, vide order passed in Criminal Misc. No. 33791 of 2021. She further submits that the petitioner is in custody since 24.12.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, similarly situated co-accused has been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since 24.12.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate, 1st Class, Muzaffarpur, in
connection with Aurai Police Station Case No. 216 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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