

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43692 of 2021**

Arising Out of PS. Case No.-233 Year-2021 Thana- NARPATGANJ District- Araria

MANOJ KUMAR YADAV @ MANOJ KUMAR SON OF SHAMBHU
YADAV @ KAMLESHWARI YADAV @ KUMUD YADAV R/O VILLAGE-
HOSPITAL ROAD, FORBESGANJ, WARD NO 7, P.S- FORBESGANJ,
DIST- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Opposite Party/s : Ms.Madhuri Lata

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

2 03-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Narpatganj Police Station Case No. 233 of 2021, registered for the offences punishable Sections 457/380/411/414 of the Indian penal Code.

The prosecution case, as per the First Information Report, is that in the night of 25.05.2021, the informant went to sleep in his house after keeping two mobile set of One Plus Nord 5G and POCO X2 MI models on the bed and his purse, containing Rs. 1,00,000/- of Rs. 2000 denomination and when he wake up in the next morning, he found the mobile phones and purse were missing.



Learned Counsel for the petitioner submits that the petitioner is not named in the First Information Report and his name transpired on the basis of confessional statement of co-accused Md. Mustaque, who was arrested by the police along with one stolen mobile phone. He further submits that the mobile phones recovered from the possession of the petitioner were of VIVO company, which were not the stolen mobile phones inasmuch as the description of the stolen mobile phones are of One Plus Nord 5G and POCO X2 MI models. He further submits that no stolen property has been recovered from the possession of the petitioner. He further submits that the petitioner is in custody since 04.06.2021 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, no stolen property has been recovered from the possession of the petitioner, he is in custody since 04.06.2021 and charge sheet has already been submitted, 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 Chief Judicial Magistrate, Araria, in connection with Narpatganj Police Station Case No. 233 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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