

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44373 of 2022

Arising Out of PS. Case No.-309 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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NEHAL S/o Ajahar Alam R/o village- Baswariya Ghosukpura, P.S.- Bettiah
Town, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Chandrabhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 454
and 380 of the Indian Penal Code.

The informant alleges that unknown thieves
committed theft in his absence of mobile, cash, ATM etc.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and has been
falsely implicated in the present case, it is next submitted
that the date of occurrence is 19.03.2020 and the FIR came
to be instituted on 22.05.2020, it is next submitted that no



doubt mobile was recovered from the possession of the petitioner but then he had purchased the said mobile from Arbaj for Rs. 5,000/- in which he was using sim of his name. Learned counsel thus submits that petitioner was completely unaware that the said mobile was a stolen one. Learned counsel next submits that it is specifically alleged in the FIR that petitioner was using the sim of his name in the mobile that in itself demonstrates that petitioner was not aware that mobile was stolen one or else he would not have used the sim which was in his name in a stolen mobile and thus would have created evidence against himself.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection



with Bettiah Town P.S. Case No. 309 of 2020 subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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