

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55463 of 2021**

Arising Out of PS. Case No.-38 Year-2021 Thana- MUSRIGHRARI District- Samastipur

RAHUL KUMAR Son of Vinod Mahto Resident of Village - Chakmehsi,  
P.S.- Chakmehsi, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jitendra Narain Sinha  
For the Opposite Party/s : Mr.Mohammad Sufyan

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

2      20-05-2022                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with  
Musrigharari Police Station Case No. 38 of 2021, registered for  
the offences punishable under Sections 382/34 of the Indian  
Penal Code.

The prosecution case, as per the First Information  
Report, is that the informant was accosted by three unknown  
miscreants, riding on a motorcycle and they looted away Rs.  
1,11,900/-, mobile phone etc and the looted mobile phone was  
recovered from the possession of the petitioner.

Learned Counsel for the petitioner submits that the  
petitioner has been made accused in this case on the basis of the  
fact that the looted mobile phone was recovered from his



possession. He next submits that the petitioner had purchased the mobile phone from his co-villager Md. Maksood @ Aftab without knowing the fact that the mobile was a looted article. He further submits that the petitioner is in custody since 1306.2021 and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that charge sheet has already been submitted and the petitioner is in custody since 1306.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Samastipur, in connection with Musrigharari Police Station Case No. 38 of 2021.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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