

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60729 of 2021

Arising Out of PS. Case No.-125 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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BRAJESH KUMAR Son of Hari Narayan Yadav Resident of Village-
Chandisthan Jamhara, Ward No.09, P.S.- Sonbarsa Raj, Dist- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-04-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 392 of the Indian Penal Code.

As per the prosecution case, four accused persons on the point of pistol looted the informant of Rs.84000/- in cash, a gold chain as also a mobile phone.

It is submitted by learned counsel for the petitioner that an FIR was registered against four unknown. Referring to the order of the learned Court below it is submitted that the name of the petitioner transpired in course of investigation when allegedly one of the stolen mobile phone was recovered from the possession of the petitioner. It is submitted that the learned trial Court in its order refers to paragraph no. 40 of the case diary wherein it has transpired that the



petitioner had purchased the stolen mobile phone for a sum of Rs. 3000/-. The petitioner were neither involved in the occurrence nor any material has transpired in course of investigation to implicate him. He is in custody since 23.6.2021 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the contents of the order of the learned trial Court, the petitioner having remained in custody for over 9 months and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with S. Kamal P.S. Case no.125 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

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