

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.16718 of 2023**

Arising Out of PS. Case No.-121 Year-2021 Thana- KOTWALI District- Munger

RAHUL KUMAR Son of Varun Prasad Yadav Resident of village -  
Shankarpur, P.S.- Munger Muffasil, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajnish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar , Addl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

3      25-07-2023                      Heard learned counsel for the petitioner and the  
  
State.

2. Petitioner apprehends arrest in a case registered for  
the offence punishable under sections 356/379 of the Indian  
Penal Code.

3. It is alleged that the stolen mobile of the informant  
was being used after inserting SIM and the said SIM belongs to  
petitioner.

4. It is submitted that petitioner has no concern with  
the stolen mobile. Petitioner has purchased the mobile from a  
small shop at Gulzar Pokhar and he had no knowledge that the  
mobile was a stolen property. Petitioner claims clean  
antecedent.

5. Learned counsel for the State opposes the bail



petition of the petitioner and submits that the name of the petitioner figured in para 43 of the case diary which is the CDR of the stolen mobile of the informant in which it was found that the mobile was being used after inserting SIM and the SIM was in the name of this petitioner. It is next submitted that he has also not brought any material on record to show that he is bonafide purchaser of the said mobile.

6. Considering the nature and gravity of allegation, prayer for pre-arrest bail of the petitioner is rejected.

**(Prabhat Kumar Singh, J)**

Kaushik/-

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