

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35750 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- SASARAM RAIL P.S. District- Gaya

Md. Akbar Hussain @ Md. Akbar Khan S/O Md. Hussain R/O Mohalla- Tikri
Azad Nagar, P.S- Nagar Aurangabad, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Sasaram
(Dehri) P.S. Case No.13 of 2023 registered for the offence under
Sections 379 and 414 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.01.2023.

The allegation against the petitioner is to have in
possession of one stolen mobile.

Learned counsel appearing on behalf of the petitioner
submitted that the alleged stolen mobile not appears to be
recovered from the conscious physical possession of this
petitioner, which is apparent from the seizure list. While
concluding the argument, it is submitted that petitioner found



involved in one more case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above and by taking note of the nature of allegation coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 22.01.2023, accordingly petitioner, above named, is directed to be released on bail in connection with Sasaram (Dehri) P.S. Case No.13 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Gaya/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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