

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48102 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- SAMASTIPUR District- Samastipur

Shan Ali @ Saan Ali Son Of Md Israil Resident Of Village- Akbarpur, Ward
No.12, P.S. Mathurapur (O.P), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 392 of the Indian Penal Code.

As per prosecution case, the informant alleged that three unknown miscreants assaulted him and snatched his mobile of Vivo T-1 and fled away. Accordingly, the present FIR was lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of tower location of mobile phone. It is also submitted that the alleged stolen mobile was



recovered from possession of the petitioner which was purchased by the petitioner by paying cash of 4,000/- from an unknown person. The petitioner has got no criminal antecedent as stated in para-3 of the petition. It is further submitted that the petitioner is languishing in judicial custody since 13.5.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Samastipur Town P.S. Case No. 112 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur.

(Sunil Kumar Panwar, J)

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