

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58096 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- KATIHAR NAGAR District- Katihar

GANGA DAS Son of Mahavir Das Resident of Hawaii Adda, P.S.- Sahayak,
District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad,Adv.

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Katihar Town (Sahayak) P.S. Case No. 71 of 2022, registered for the offence punishable under Sections 392 of the Indian Penal Code and later on, Section 411 of the Indian Penal Code was added.

The case of the prosecution, in brief, is that while the informant, who runs a mobile shop, was returning back to his home on a motorcycle along with his cousin brother on 15.2.2022, two miscreants intercepted them and on pistol



point, took away their motorcycle and mobile sets. It is also alleged that during the course of investigation, the police had recovered ten sets of mobile phones from the house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 08.03.2022. It is submitted that though the petitioner is an accused in two other criminal cases, but he is on bail in the said two cases.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that ten looted mobile phones have been recovered from the possession of the petitioner, I deem it fit and proper to direct for release of the petitioner on bail, immediately upon framing of



charge by the learned Court below, subject to such conditions as may be deemed fit and proper to be imposed by the learned Chief Judicial Magistrate, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 71 of 2022.

The present petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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