

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65684 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- HABIBPUR District- Bhagalpur

MD. SABIR @ SABIR ALI Son of Mammo @ Mammo Khan @ Md. Shamshad Ali Resident of Village - Sadaruddin Chak, P.S.- Habibpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 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 sections 457, 380 of the Indian Penal Code.

As per prosecution story, theft of mobile phones has been committed in the house of informant namely, Md. Zahid Alam. It is further alleged that one accused Chhotu was caught who disclosed that the petitioner fled away with stolen mobile phones, thereafter, this case has been registered against them.

Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in the present case. Neither the petitioner was



arrested on spot nor any incriminating article has been recovered from his conscious or constructive possession which shows his involvement in the alleged offence. The name of the petitioner has been disclosed in this case by the apprehended co-accused namely, Chhotu. It is further submitted that the petitioner has also not been put on TI Parade till date. Moreover, the petitioner is languishing in judicial custody since 24.7.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Habibpur P.S. Case No. 118 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Bhagalpur.

(Sunil Kumar Panwar, J)

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