

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66351 of 2023

Arising Out of PS. Case No.-263 Year-2023 Thana- RAJIVNAGAR District- Patna

VISHAL KUMAR SON OF SHATRUGHAN KUMAR SHARMA
RESIDENT OF VILLAGE- DHANAUT, PS- RUPASPUR, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Rajiv Nagar P.S. Case no.263 of 2023 registered under sections 356 and 379 of the Indian Penal Code in which chargesheet has been submitted under sections 356, 379 and 411 of the Indian Penal Code.

3. As per the prosecution case, while the informant was using his mobile phone and talking to his friend, it is stated that the accused persons aged about 18-20 years came on a motorcycle, snatched his mobile phone and escaped.

4. Learned counsel for the petitioner submits that the F.I.R. was registered against unknown. The petitioner was falsely implicated in the case in course of investigation on the allegation that the stolen mobile phone was recovered from his



possession. It is submitted that contrary to allegation, no incriminating article has been recovered from his possession. Neither the so called recovered mobile phone nor the petitioner has been put on T.I. parade. The petitioner is in custody since 12.5.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the nature of material that has transpired in course of investigation as is evident from the order of the learned trial Court, the petitioner being in custody for 5 months since 12.5.2023 and chargesheet having been submitted in the case without putting the petitioner on T.I. parade, the Court directs the petitioner to be enlarged on bail in connection with Rajiv Nagar P.S. Case no.263 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 the learned Additional Chief Judicial Magistrate II, Patna.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

