

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67565 of 2023

Arising Out of PS. Case No.-255 Year-2023 Thana- MEHSI District- East Champaran

KUNDAN KUMAR S/o Late Ashok Chaudhary R/o Village-Kaswa Mehsi
Ward No. 13, P.S.-Mehsi, Dist-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 413, 414 of the Indian Penal Code.

3. As per prosecution case, the petitioner is alleged to have been apprehended and from his hotel, five mobile phones are recovered. The petitioner did not give satisfactory reply regarding seized mobile phones.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no concern with the alleged seized stolen mobile phones. The petitioner runs a *Bhuja* shop which is frequented by many people and the phones seized



may have belonged to other people who had fled after seeing the police party. It is further submitted that this case is triable by court of judicial magistrate. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 12.8.2023.

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

6. 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 Mehshi P.S. Case No. 255 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 C.J.M. Motihari at East Champaran.

(Sunil Kumar Panwar, J)

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