

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70403 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- SAHARSA RAIL P.S District- Khagaria

Anish Kumar S/O Ashok Yadav Village- Artaha, Ps. Shankarpur, Dist.
Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Saharsa Banmankhi Rail P.S. Case No. 23 of 2023 registered under section 379, 419, 420, 411, 465, 467, 468, 471, 34 of the Indian Penal Code and Sections 66B, 66C, 66D, of the IT Act.

As per FIR, it is alleged that total 79,000/- cash from the lost phone of the informant has been transacted by unknown person.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in F.I.R. rather his name came into light in this case during investigation. From perusal of impugned order, it appears that



the stolen mobile set was recovered from the possession of the petitioner but the same was not in working position. It is also submitted that the petitioner has purchased the same mobile from one co-accused, namely, MD Kaili. And he has not transacted any money from the mobile of the informant. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 03.06.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Saharsa Banmankhi Rail P.S. Case No. 23 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 J.R.M., Khagaria.

(Sunil Kumar Panwar, J)

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