

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67607 of 2022

Arising Out of PS. Case No.-9 Year-2022 Thana- PATLIPUTRA RAIL P.S. District- Patna

Akhtar Quraishi Son of Late Ali Mohammad Quaraishi @ Mohammad
Quaraishi R/V/ MOhalla- Purania Shekha, Purainia, P.S- Kinjar, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with G.R.P.
Patliputra P.S. Case No. 09 of 2022 registered for the offence
under Section 379 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 31.07.2022.

The allegation against the petitioner is to commit theft
and while committing so taken away mobile belongs to the



informant.

Learned counsel appearing on behalf of the petitioner submitted that the alleged stolen mobile was purchased by minor son of the petitioner and sale letter was also produced before the investigative officer. It is submitted that petitioner implicated in present case only for the reason that the sale letter is in favour of his minor son. It is submitted that nothing surfaced during the course of investigation that purchase of said stolen mobile was made with knowledge or having belief that alleged mobile is stolen. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as alleged recovery of stolen mobile appears to be made from minor son of this petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with G.R.P. Patliputra P.S. Case No. 09 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Railway Judicial Magistrate, Patna/concerned court, subject to
the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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