

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6145 of 2024

Arising Out of PS. Case No.-1069 Year-2023 Thana- KHAJANCHI HAT District- Purnia

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Sujeet Kumar Son of Tuntun Sharma R/o Suddin Chowk Tatma Road, ward
no. 24, P.S. - Maranga, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 17-02-2024
1. Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.
 2. Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.
 3. The accused/petitioner is not named in the F.I.R. and apprehended his arrest in connection with K. Hat Maranga P.S. Case No. 1069 of 2023 registered for the offences punishable under Section 380 of the Indian Penal Code.
 4. The allegation against the petitioner is to purchase stolen mobile phone.



5. Learned counsel appearing on behalf of the petitioner submitted that alleged mobile was purchased by petitioner against cash of Rs. 1,500/-. It was a second hand mobile and therefore, there is no reason to believe on its face that mobile in issue was stolen. It is submitted that circumstance of this case suggest that petitioner was a *bonafide*, purchaser of mobile, which was stolen. It is submitted that when matter came into knowledge of petitioner he returned back mobile to its original holder through his sister acting *bonafidely*. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid facts and circumstances and by taking note of fact as, *prima facie*, petitioner appears purchaser of stolen mobile phone, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea/concerned Court below where the case is pending in



connection with K. Hat Maranga P.S. Case No. 1069 of 2023
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Chandra Shekhar Jha, J.)

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