

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6449 of 2024

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

Md. Kaifee @ Kaifee @ Md. Kaifi S/o Md. Jahagir R/o Near Middle School,
Ward No. - 12, Lehri Tola, P.S. - Madhepura, Dist. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Mumtaz Uddin

For the Opposite Party/s : Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 17-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Saharsa (Banmankhi) Rail P.S. Case No.23 of 2023 registered
for the offence under Sections 379, 419, 420, 411, 465, 467,
468, 471/34 of the Indian Penal Code and Section 66(B),(C) and
66(D) of the I.T. Act.

3. The allegation against the petitioner is to
have taken away a mobile along with SIM card bearing No.



8279948441 and 9411899044 belonging to the informant. It is further alleged that a sum of Rs. 79,000/- have been transferred from Pay Phone application.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner is not named in FIR and his name surfaced during course of investigation. It is submitted that from bare perusal of FIR, seizure list and impugned order, it appears that nothing has been recovered from the possession of this petitioner rather the stolen mobile has been recovered from possession of one unknown FIR named accused, Anish Kumar, who has already been granted bail by a co-ordinate Bench of this Court through Cr. Misc. No.70304 on 06.11.2023. It is further submitted that the petitioner is a man of clean antecedent and he is in custody since 17.06.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Saharsa (Banmankhi) Rail P.S. Case No.23 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Additional Sessions Judge VIIth Khagaria.

(Ramesh Chand Malviya, J)

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