

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45301 of 2024

Arising Out of PS. Case No.-794 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Lal Mohan Mahto S/o Omprakash Mahto R/o vill - Dewariya, P.S. -
Revilganj, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Chapra Muffasil P.S.
Case No. 794 of 2023, instituted for the offences punishable
under Sections 392 and 411 of the Indian Penal Code.

3. The prosecution case, in short, is that, three
unknown miscreants snatched mobile phone, small bag
containing Rs. 2,000/- along with other credentials, key of
motorcycle of the informant and fled away from the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner is not



named in the F.I.R. The stolen mobile phone has been recovered from the possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner is owner of a mobile repairing shop and he received the same for repairing purpose without having any knowledge regarding the said mobile phone was stolen or genuine. The petitioner is in custody since 15.05.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chapra Muffasil P.S. Case No. 794 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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