

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53997 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- Banjariya District- East Champaran

Akbar Ali @ Akbar Mian Son of Hamid Mian @ Abib Dubey R/O Vill.-
Ajjari (Siswa), Gadhiya Tola, P.s.- Banjaria, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Asif Kalim, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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

ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Banjariya P.S. Case No.
38 of 2024, instituted for the offences punishable under Section
414 of the Indian Penal Code.

3. The prosecution case, in short, is that, on secret
information, police apprehended the petitioner and on search of
his bag, four stolen mobile phones have been recovered.

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. Learned counsel for
the petitioner further submits that the petitioner was arrested on



the basis of suspicion. The petitioner is not aware of the bag lying nearby from which stolen mobile phones have been recovered.. The petitioner is in custody since 01.04.2024 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 Banjariya P.S. Case No. 38 of 2024.

(Rudra Prakash Mishra, J)

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