

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66896 of 2024

Arising Out of PS. Case No.-329 Year-2024 Thana- PURNEA SADAR District- Purnia

Mubarak Khan @ Gunda Son of Late Mustafa Khan R/O Vill.- Hansda Road
Gandhi Nagar, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sadar P.S. Case No. 329 of 2024, registered on 08.06.2024 for the alleged offences under Sections 395/412 of the Indian Penal Code.

3. As per prosecution case, a number of miscreants looted godown of the company of the informant and took away mobile phone, cash and 227 bags of maize from the godown. The guard and his wife were tied before looting the godown.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on the basis of recovery of looted mobile phone. However,



the said mobile phone was found by the mother-in-law of the petitioner and the petitioner started using the said mobile and on suspicion the petitioner was arrested. No Test Identification Parade has been conducted. The petitioner is in custody since 14.06.2024 and charge sheet has been submitted. The petitioner is having antecedent of two cases.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is having antecedent of similar nature of cases and the looted mobile was recovered from the possession of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea/concerned Court in connection with Sadar P.S. Case No. 329 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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