

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4256 of 2025

Arising Out of PS. Case No.-70 Year-2024 Thana- KANGLI District- West Champaran

Rajesh Sah @ Rajeshwar Sah Teli, S/o Late Sitaram Sah, R/o vill - Prastoka
Belahiya, P.S. - Gandak Chowki, Distt- Bara (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks bail in connection with Kangali P.S. Case No. 70 of 2024 dated 26.10.2024, instituted for the offence punishable under Sections 317(4), 317(5), 3(5) of Bhartiya Nyay Sanhita, 2023.

3. The allegation against the petitioner is that he purchased 20 stolen mobile phones from co-accused, namely, Dharmanath Sah and Tauhid Alam.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner rather the said mobile phones have been recovered from the carry



bag of the petitioner. It is further submitted that the petitioner is Nepali citizen and he is ready to furnish bailor of local residents / Indian citizen. It is submitted that the present bail application has also been sworn by an Indian citizen who is the husband of the petitioner's niece. Lastly, it has been submitted that the petitioner is in custody since 27.10.2024 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Bettiah, West Champaran in connection with Kangali P.S. Case No. 70 of 2024, subject to the condition that one of the bailor will be Indian citizen / local residents.

(Khatim Reza, J)

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