

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15344 of 2025

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

1. Dharamnath Sah Son of Jokhu Sah, Resident of Village- Pokhariya, P.S.- Kangali, Distt.- West Champaran
 2. Nanhaki @ Tauhid Alam, Son of Syed Jan Mian @ Shaiyadjan Miya Resident of Village- Pokhariya, P.S.- Kangali, Distt.- West Champaran
- 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. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

3. The allegation against the petitioners is that they used to sell the stolen mobile phones to co-accused, who fled away from the place of occurrence.

4. Learned counsel for the petitioners submit that the petitioners are innocent and they have been falsely implicated in this case. Learned counsel for the petitioners submits that



petitioner no. 1 is the shop owner and petitioner no. 2 is the customer of petitioner no. 1. It is further submitted that nothing has been recovered either from the shop of the petitioner no. 1 or from the conscious possession of the petitioners. It is further submitted that 20 stolen mobile phones have been recovered from co-accused Rajesh Sah and 19 mobile phones have been recovered from co-accused Tulsi Mahto. The petitioners have no concern with the seized mobile phones and the said persons. Further submission is that co-accused, Rajesh Sah has been granted regular bail vide order dated 12.02.2025 passed by this Court in Criminal Miscellaneous No. 4256 of 2025. Co-accused, Tulsi Mahto has also been granted regular bail vide order dated 19.02.2025 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 5072 of 2025. Lastly, it has been submitted that the petitioners have no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Kangali P.S. Case No. 70 of 2024, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned J.M. 1st Class,
Bettiah, West Champaran, subject to condition as laid down under
Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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