

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19970 of 2025

Arising Out of PS. Case No.-101 Year-2024 Thana- KHAGARIA RAIL PS CASE District-
Khagaria

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Abhishek Kumar Gupta Son of Sunil Kumar Gupta @ Sunil Prasad Thatheri
Resident of Village - Narayanpur Madhurapur Bazar, Ward No.- 13, P.S.-
Bihpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-04-2025 Heard Mr. Amrendra Kumar, learned counsel for the
petitioner and Mr. Suresh Prasad Singh, learned APP for the
State.

2. Petitioner seeks regular bail in connection with
Khagaria Rail P.S. Case No. 101/ 2024 dated 07.11.2024
registered for the offence(s) punishable under Section(s) 305(c),
317(2) and 317(5) of the BNS .

3. The main submissions advanced by learned counsel
for the petitioner are that the alleged offences are triable by the
court of Magistrate and the instant matter relates to theft of
mobile phone of the informant and it has been alleged that from
trouser's pocket of the petitioner three mobile phones were
recovered when on suspicion search was made by the informant
himself and others and, accordingly, the stolen mobiles were
recovered by a private person and not by the police. It is further
submitted that against the petitioner, there are criminal
antecedents of four cases but he is on bail in the said cases and



in the present matter, investigation against the petitioner has been completed and he has been languishing in jail since 08.11.2024.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Heard both the sides and perused the FIR.

6. Though, against the petitioner there are criminal antecedents of four cases and all the cases are of similar nature relating to theft and the instant matter also relates to theft of mobile phone of the informant, however, considering his custody period as well as completion of investigation against him, this court is inclined to release the petitioner on regular bail. Accordingly, let the petitioner named-above be released on bail in connection with Khagaria Rail P.S. Case No. 101/ 2024 on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned with the condition that the petitioner shall be released on bail after **framing of the charge**.

(Shailendra Singh, J)

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