

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27499 of 2025

Arising Out of PS. Case No.-209 Year-2022 Thana- NAUTAN District- West Champaran

Santosh Kumar S/o Chandeshwar Prasad R/o Village- Siswa Bazar, Ward No. 08, P.S.- Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Nautan (Jagdishpur) P.S. Case No. 209 of 2022, dated 19.04.2022, lodged under Sections 457 and 379 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against an unknown accused person, alleging that he committed theft of a mobile phone.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that the petitioner is a student and, in his innocence, purchased the mobile phone from a local shop, inserted his SIM card, and was subsequently tracked by the police, following which his name figured in the present case. Counsel further submits that the petitioner has no criminal antecedents and was completely unaware that the mobile phone purchased by him was



stolen. It is also submitted that a similarly situated co-accused has already been granted bail by a co-ordinate Bench of this Hon'ble Court vide order dated 11.12.2024 passed in Cr. Misc. No. 83333 of 2024. Counsel further submits that the petitioner is ready to comply with all conditions that may be imposed upon him by this Hon'ble Court.

5. Learned APP for the State opposes the prayer for bail and submits that the mobile phone, which is the subject matter of the alleged theft, has been recovered from the petitioner's possession.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Nautan (Jagdishpur) P.S. Case No. 209 of 2022, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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