

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41640 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- RUPAULI District- Purnia

Mohammad Mohibul Son Of Abdul Razzak Resident Of Hathiya Diyara,
Ward No 9, Ps -Rautara Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Nikhil Singh, Advocate
	Mr. Sumeet Kumar Singh, Advocate
	Mr. Shivam Singh, Advocate
	Ms. Deepali Singh, Advocate
For the Opposite Party/s :	Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 06-08-2025 Heard Mr. Sumeet Kumar Singh, learned counsel for
the petitioner and Mrs. Rita Verma, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 317(4), 317(5) and 3(5) of Bhartiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that during patrolling and vehicle checking ahead of Bharat Gas Godown between Birauli and Chaphari, the informant being a police officer caught a person riding on TVS bike who was coming from Birauli market with a bag and from the bag, it is alleged that altogether 79 mobile phones of different companies including batteries of the mobile phones and display of 11 mobile phones



were kept in bag.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner that petitioner was working with his own brother's mobile shop at Mahfuz Enterprises, Katihar and the said shop is registered and the seized mobile phones are used to be purchased by the petitioner for low price and sell subsequently for the business. He has also submitted that the mobile phones which are seized have been purchased from the villages and the same will be sold after being repaired. He has further submitted that there is no one to complain as to whose mobile, he has stolen. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Charge-Sheet has already been submitted in this case. Moreover, the petitioner is languishing in judicial custody since 28.04.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with



Rupauli P.S. Case No. 73 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnia.

(Ashok Kumar Pandey, J)

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