

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87546 of 2025

Arising Out of PS. Case No.-317 Year-2025 Thana- Sahayak Khajanchi District- Purnia

Rajesh Kumar @ Rajesh Kumar Mahto @ Chhumantar Son of Late Chandu
Mahto R/o Village- Tinpahar PS- Tinpahar Distt -Sahebganj (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in Sahayak
Khazanchi P .S. Case No. 317 of 2025 dated 16-09-2025
registered under Sections 303(2), 317(4),317(5) and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The allegation is of recovery of 12 stolen mobile
phones from the bag of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that no incriminating article
has been recovered from the conscious possession of the
petitioner. It is submitted that the petitioner is engaged in the
business of mobile phones and no complaint of theft has been



lodged by any person in respect of the alleged mobile sets. In the absence of any such complaint, the question of the mobile phones being stolen does not arise. Learned counsel also submits that a co-accused, namely Pappu @ Pappu Nunia @ Pappu Kumar @ Pappu Ninia @ Pappu Mahto @ Pappu Nonia, who was arrested on the same day and from whose possession 11 stolen mobile phones were recovered from his bag, has already been granted bail by a Co-ordinate Bench of this Court vide order dated 06.01.2026 passed in Cr. Misc. No. 85325 of 2025 (Annexure-3). It is further submitted that charges have already been framed in the present case on 19.01.2026. Lastly, it is submitted that the petitioner has been in judicial custody since 17.09.2025 and has only one criminal antecedent, in which he has already been acquitted.

5. Learned Additional Public Prosecutor for the State has opposed the prayer.

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 CJM, Purnea, in connection with Sahayak Khazanchi P.S. Case No. 317 of 2025.



7. The application stands allowed.

(Khatim Reza, J)

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