

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11948 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -WEST CHAMPARAN GRP CASE District-
WEST CHAMPARAN (BETTIAH)

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Rupesh Kumar Giri @ Rupesh Giri Son of Sri Ramkishore Giri Resident of
Village - Karamawa, P.S.- Sugauli, District - East Champaran, Motihari
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pranav Kumar
For the Opposite Party/s : Mr. Yogendra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 06-08-2015 Heard both sides.

The petitioner seeks bail in a case under Sections
365, 379, 419 and 120B of the Indian Penal Code.

The informant alleged that he delivered manufactured
ornaments to the jewelers and after collecting 2 Kg. gold from
those jewelers, he came to the station and sat in Purvanchal
Express. As soon as the train started, four persons entered into the
compartment. They assaulted the informant and after snatching his
bag containing ornaments, money, mobiles, they fled away
towards Platform No. 1. The informant chased them. The person
sitting on the driving seat of the motorcycle was caught and
identified as Sanju Kumar Nishad. Sanju Kumar Nishad disclosed
the names of Md. Bablu, Jahangir Ahmad, Sheru @ Sherua, Md.
Shams and Md. Nuren.

Shri Y.V. Giri, learned senior counsel for the petitioner, submits that the petitioner is not named in the F.I.R. and the petitioner is a constable. He snatched a bag from a thief and kept the same with him for being handed over to the Superintendent of Police but the Superintendent of Police was not available. The petitioner informed the Officer-in-charge of the concerned Police Station but the petitioner has falsely been implicated in the case. The petitioner also disclosed the entire facts in his confession made before the police that he snatched the bag from a thief and the same was recovered. It is submitted that Sanju Kumar Nishad, who was duly identified by the informant, as the person who had fled away after snatching the bag of the informant, has already been enlarged on bail vide order passed in Cr. Misc. No. 13954/2015. The petitioner is in jail since 01.02.2015.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate (Railway), Bettiah, West Champaran in Motihari Rail P.S. Case No. 2/2015.

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(Prabhat Kumar Jha, J)