

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22066 of 2016

Arising Out of PS.Case No. -343 Year- 2015 Thana -PATNA GRP CASE District- PATNA

=====

Bijay Kumar, Son of Rameshwar Shah, resident of village - Vhitha
Nizamat, P.S. Bairiya, District - West Champaran , Bettiah

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Krishna Kumar Tiwary, Advocate.

For the Opposite Party : Mr. Shakir Ahmad (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with G.R.P.
Case No. 343 of 2015 registered for the offences punishable under
Sections 186, 201, 353, 506, 120(B) of the Indian Penal Code and
66 (A) (a) (b) (c) and I.T. Act, 2000, Section 150 (E) of Railway
Act, 1989 and Section 3 (e) of Public Property Prevention to
Damage Act, 1984.

From Mobile No. 8227091201 sms was sent on
Mobile No. 9473197767 of I.G. Railway that on 30th October,
Patna Sahab Station will be destroyed. During investigation, it
reveals that the same SIM, which was used for sending the
message, was standing in the name of the petitioner and

accordingly, the petitioner was apprehended and from his possession, mobile of Zen Company having dual SIM number and from possession of Punam Devi mobile of Zen Company having one SIM number were recovered.

Submission is of false implication and that the petitioner has not sent the message, Punam Devi has stated that her husband Binay Paswan might have sent the message, who was using Mobile No. 8227091201, there was no intention on part of the petitioner to get the police personnel frightened, the petitioner without any fault suffering in custody since 31.10.2015, the mobile recovered from possession of the petitioner was not used for sending the message and as such the petitioner having no criminal antecedent deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Railway Judicial Magistrate, Patna in connection with G.R.P. Case No.343 of 2015, subject to conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner

shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Amit/-

U		T	
---	--	---	--