

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49600 of 2016

Arising Out of PS.Case No. -66 Year- 2015 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

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Sagar Ali son of Jalimuddin, resident of village- Baghmara, Paschim para,
Kharangpur Jabra, Police station- Harishchandrapur, District- Malda (West
Bengal) Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 15-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Rail
Samastipur (Hassanpur) P.S. Case No. 66 of 2015 registered for
the offence punishable under Section 379 of the Indian Penal
Code.

Allegedly, one person after snatching the hand bag of the
mother of the informant got down from the train and in the hand
bag there were ornaments, Samsung Mobile, Aadhar Card, Voter
Identity Card etc. The petitioner is not named in the first
information report but during investigation stolen mobile was
recovered from his possession.

Submission is of false implication and that the petitioner
has picked up the mobile which was lying on the railway track, the



petitioner has got no criminal antecedent and he has been made victim of circumstances.

Learned APP opposes the prayer of bail by submitting that stolen mobile was recovered from possession of the petitioner at Jaipur.

In the facts and circumstances stated above, the petitioner above named **shall be released on bail after completion of six months in custody** from the date of his remand on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Samastipur in connection with Samastipur (Hassanpur) P.S. Case No. 66 of 2015, subject to the conditions that one of the bailors must be a 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)

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