

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41643 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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Md. Taz, Son of Md. Kalim, Resident of village- Hussainpur, P.S.-
Mojahidpir, District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Renuka Ratnakar

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

2 04-10-2016 Heard learned counsel for the petitioner and learned A.P.P.
representing the State.

The petitioner seeks bail in connection with Bhagalpur
(Railway) P.S. Case No. 33 of 2016 registered for the offences
punishable under Sections 401/414 of the Indian Penal Code.

Allegedly, from the possession of the petitioner one
Mobile, cash of Rs.3940/-, one ATM Card of State Bank of India
having name of Devandra Roy, one small seizure and four SIMs
were recovered and the petitioner confessed that these articles are
of pick pocketing.

Submission is of false implication and that the petitioner's
house is adjacent to the railway line and the only way for going
and coming is through the railway line, he has been made victim

of Police atrocities, nothing has been recovered from his possession and he is in custody since 25.04.2016. In this case charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer for bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail **after completion of six months in judicial 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, Bhagalpur, arising out of Bhagalpur (Railway) P.S. Case No. 33 of 2016, subject to the 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.)

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