

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47776 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

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Rohit Kumar Son of Shambhu Sharma Resident of Village- Dhurwa, Police
Station- Manuapul, District West Champaran at Bettiah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 05-12-2016 Heard the counsel for the petitioner and the State.

The petitioner apprehending his arrest in Sugauli
(Bettiah) Rail P.S. Case No. 26 of 2016 registered under Sections
354, 379 and other allied Sections of the Indian Penal Code and
has approached this Court for grant of anticipatory bail.

The informant along with his cousin sister was traveling
on train when scuffle took place between the informant and the
co-passengers. It is alleged that when he get off the train at
Bettiah, the accused Sher Singh Yadav snatched golden chain
from his sister and started fleeing away. The petitioner is said to
have snatched the bag of the informant and escaped from the
place of occurrence. Sher Singh Yadav was, however,



apprehended, but no recovery of golden chain was made from his possession.

Contention of the petitioner is that on trivial issue, the scuffle is said to have taken place while both of them were traveling. Indisputably, no recovery of the stolen articles has been made. He has been made accused because small scuffle aggravated subsequently, wherein the informant also called some his supporter(s)/relative(s). The petitioner is the student of Intermediate Science having no criminal antecedent.

Considering the fact that no recovery was made from co-accused Sher Singh Yadav and has been released on bail, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Rail Court, West Champaran at Bettiah in Sugauli (Bettiah) Rail P.S. Case No. 26 of 2016 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that:

- (i) One of the bailors shall be his own/close family member of the petitioner.
- (ii) The petitioner shall appear in person on each date fixed



at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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