

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27621 of 2016

Arising Out of PS.Case No. -32 Year- 2015 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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Lakhpati Goswami, S/o Late Basudeo Goswami, Resident of Village-
Manihari, P.S.- Manihari, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Raghvendra Kumar Singh, Advocate
For the Opposite Party : Smt. Sharda Kumari(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 27-10-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Bhagalpur G.R. P.S. Case No. 32 of 2015 registered for the
offence punishable under Section 379 of the Indian Penal Code.

Case diary in the present case was called for, which has
since been received.

Learned counsel for the petitioner submits that the
petitioner is an 85 years old man and is the Pujari of Mandir. It is
submitted that though he is not named in the FIR, subsequently on
the basis of the call details and EMI records of the phone which was
stolen from the passenger of the train, the location of the mobile
was traced to the petitioner as his SIM was found to have been

be used by the said mobile. Accordingly, an inquiry made and the mobile was recovered from his possession. Learned counsel for the petitioner further submits that the said mobile was purchased by unknown young boy who was claimed that he needed money for his mother's treatment. Admittedly the theft and snatching of the mobile and the purse of the lady passenger had taken place and as alleged three boys between the age group 24 to 26 had participated.

Having considered all the facts and circumstances of the case and on consideration of the case diary which does not indicate any further material against the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 learned Railway Judicial Magistrate, Bhagalpur in connection with Bhagalpur G.R. P.S. Case No. 32 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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