

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23244 of 2016

Arising Out of PS.Case No. -27 Year- 2014 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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1. Sarwan Sahni @ Sarwan Mahaldar S/o Dhaneshwar Sahni @ Mahaldar
resident of village - Lailakh, Police Station - Sabour, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Damodar Pd. Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-08-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with
Bhagalpur Rail P.S.Case No. 27 of 2014 registered under Sections
328 and 379/34 of the Indian Penal Code pending in the Court of
learned 3rd Additional Sessions Judge, Bhagalpur.

The allegation against the petitioner is that in train no.
53044, Rajgir Howrah Express he offered bananas and biscuits to
the informant and his two friends. Thereafter the informant and his
friends became unconscious. They were medically treated at
Sahebganj Hospital. It is further alleged that Rs. 4000/-, one
mobile and Rs. 1500/- of the informant and his friend were found
missing.

It is submitted on behalf of the petitioner that the

petitioner is in custody since 28.03.2016. Charge sheet has been submitted in this case. There is no allegation of tampering of the witnesses against the petitioner. The petitioner is not named in the FIR. He has not been put on T. I parade. There is no recovery of any incriminating article from the possession of the petitioner.

On behalf of the State, it is submitted that the name of the petitioner has come in course of investigation. The petitioner is accused in as many as five more cases.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner and same is rejected at this stage.

(Sudhir Singh, J)

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