

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50188 of 2017

Arising Out of PS.Case No. -92 Year- 2017 Thana -BARAUNI RAIL P.S. District- BEGUSARAI

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Upendra Sah, S/o Late Shriram Sah, R/o Village-Kashimpur, P.S. Naya Gaon, at present R/o Village-Dumri Singhaul, P.S. Muffasil, District-Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarkeshwar Pd. Verma

For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Barauni Rail P.S. Case no. 92 of 2017 registered for the offence punishable under Section 401/34 of the Indian Penal Code.

On the tip off, the petitioner along with two other accused persons were apprehended by the police from platform no. 9 while two other managed to escape and from the possession of the petitioner, a mobile phone, cash of Rs. 220/- and chain cutter was recovered.

It is submitted by the learned counsel for the petitioner that nothing incriminating article has been recovered from his conscious physical possession. The mobile phone



recovered from his possession is hailing to him. There is nothing on record to indicate his complicity in the occurrence. Similarly situated co-accused Sanjeet Poddar has been enlarged on bail vide order dated 20.09.2017 passed in Cr. Misc. application no. 45758 of 2017 by a co-ordinate Bench of this Court. The petitioner has been languishing in custody since 25.05.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Rail Barauni, District-Begusarai in connection with Barauni Rail P.S. Case no. 92 of 2017.

(Prakash Chandra Jaiswal, J)

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