

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54257 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -BAKHTIYARPUR RAIL P.S. District- PATNA
=====

Anil Malakar @ Karu Malakar son of Late Ayodhya Malakar resident of village - Dayachak, Naya Tola, Police Station - Barh, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s
=====

Appearance:

For the Petitioner/s : Mr. Brajesh Sahay, Advocate.

For the Opposite Party/s : Mr. Nityanand, APP.
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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Bakhtiyarpur Rail Police P.S. Case No. 54 of 2017 registered under Section 392 of the Indian Penal Code.

Four unknown criminals are said to have committed train robbery and snatched away bag of the informant containing Rs. 50,000/- and some articles by applying the emergency brake. Co-accused, namely, Gaurav Paswan and the petitioner were arrested along with the bag, some articles and mobile phone.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He has no concern with the aforesaid occurrence. He has no criminal



antecedent. The articles barring the mobile phone said to have been recovered from the possession of the petitioner are easily available in the market and the mobile phone of the informant is not said to have been snatched in the occurrence. Moreover neither the petitioner nor the aforesaid articles were put on T.I.P. The petitioner has been languishing in custody since 20.07.2017. Similarly situated co-accused Gaurav Paswan has been enlarged on bail by a co-ordinate bench of this court in Cr. Misc. No. 47876 of 2017 vide order dated 09.11.2017.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate, Railway, Patna in connection with Bakhtiyarpur Rail Police P.S. Case No. 54 of 2017

(Prakash Chandra Jaiswal, J)

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