

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34754 of 2017**

Arising Out of PS.Case No. -46 Year- 2017 Thana -MAUZAHDIPUR District- BHAGALPUR

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Raja Das Son of Late Shankar Das, Resident of Village-Munshi Chamar  
Lane, Gurhatta Chowk, P.S.Mojahidpur, District Bhagalpur

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      10-08-2017                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
15.03.2017 in connection with Mojahidpur P.S. Case No. 46  
of 2017 registered for the offence punishable under Sections  
341, 323, 384/34 of the Indian Penal Code.

The prosecution case, as lodged by the  
informant, is that while he was going to board the train for  
Himachal Pradesh, on the way near railway station on the  
bridge, four persons tried to snatch his mobile and on hulla  
one of the accused, namely, Rohit Kumar Das was  
apprehended, who named the petitioner and other two



accused.

It has been submitted by the learned counsel for the petitioner that he is innocent, has not committed any overt act and has been falsely implicated. He further submits that one of the co-accused has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 31252 of 2017 on 10.07.2017 and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner does not have clean antecedent.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur P.S. Case No. 46 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner and if, in future, petitioner is found to have indulged in an offence of similar



nature, prosecution will be at liberty to move before the  
learned Court below for cancellation of his bail bonds.

**(Nilu Agrawal, J.)**

Arjun/-

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