

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41655 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -ARA RAIL P.S. District- BHOJPUR

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Satendar Paswan Son of Bishwanath Paswan Resident of Village- Chokipur,
P.S. Udawant Nagar, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Adv.
For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-09-2017 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Ara Rail P.S.
Case No. 41/17, for the offences punishable under Section 392 of
the Indian Penal Code. Later on, sections 414 and 411 of the
Indian Penal Code were added.

The prosecution case as lodged by the informant is that
while he was returning from Dumra to his house Ara by train,
three miscreants came and snatched his mobile and bag which
contained some documents with Rs. 1000/- cash.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R. and bears no
criminal history. He submits that it is only on the basis of
confessional statement of co-accused before the police, his name



surfaced, which has no evidentiary value in the eye of law. It is further submitted that mobile phone was recovered from the possession of the co-accused. Nothing has been recovered from the possession of the petitioner and he is in custody since 07.07.2017. One of the co-accused has been granted privilege of bail by a Coordinate Bench of this court in Cr. Misc. No. 41299/2017 on 07.09.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and materials on record, let the petitioner named above, 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 Railway Judicial Magistrate, Bhojpur at Ara in connection with Ara Rail P.S. Case No. 41/2017, subject to the condition that one of the bailors would be a close relative of the petitioner and if the petitioner is found to have indulged in similar offence in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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