

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38599 of 2017

Arising Out of PS.Case No. -134 Year- 2017 Thana -PATNA GRP CASE District- PATNA

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Neelam Devi W/o Binod Ram resident of village - Gopalpur Bhattha
Chauk, Basudeopur, P.S. Kalyanpur, District - Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 19-08-2017 Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with G.R.P. Patna P.S. Case No. 134/2017 registered for the offence punishable under Sections 186, 201, 353, 506/120(B) of the Indian Penal Code and 66(a) (b) (c) of I.T. Act, 2000 and 150(E) of the Railway Act 1989 & 3 (2c) of the Public Property Prevention to Damage Act, 1984, pending in the court of Railway Judicial Magistrate, Patna.

Learned counsel for the petitioner submits that in the present case the mobile number from which the SMS was sent belonged to one Sushil Kumar. At the instance of Sushil Kumar, police conducted raid in the



house of the present petitioner, from where four mobile and five Sim Cards were recovered. The petitioner disclosed that her Sim Card was being used by her two friends Badal Kumar and Rajkumar Mahto. They were also arrested. These two persons also accepted the fact that they were using the Mobile Phone.

Learned counsel for the petitioner submits that Sushil Kumar in whose name the Sim Card was there has been granted regular bail by a coordinate Bench of this Court vide order dated 20.07.2017 passed in Cr. Misc. No. 34004/2017. It has come in course of investigation that the Sim Card was misused by co-accused Izharul Haque who has confessed his guilt.

Learned Additional Public Prosecutor for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Railway Court, Patna, in connection with G.R.P. Patna P.S. Case No. 134/2017, subject to



condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J.)

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