

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38136 of 2018

Arising Out of PS. Case No.-86 Year-2017 Thana- CHAPRA RAIL P.S. District- Saran

Sohram Nut, S/o Chatrgun Nut @ Langra, R/o village- Daudpur Giri Tola,
P.S.- Daudpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh
For the Opposite Party/s : Smt. Reena Sinha

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 30.03.2018 in connection with Chapra Rail P.S. Case No. 86 of 2017 for offences punishable under Sections 392, 394 of the Indian Penal Code and later Section 411 was added.

The prosecution case, as lodged by the informant, is that while he was travelling in Godam Express, train was running at a very slow pace and when it stopped, four miscreants entered his compartment and looted his valuable cash and mobile. They also committed robbery with regard to other passengers.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R. and has



been falsely implicated in the aforesaid case. He submits that it is only on the basis of confessional statement of co-accused Deepak Prasad from whose possession knife and looted money was recovered that the name of the petitioner surfaced. He submits that some of the accused have been granted the privilege of bail and even the co-accused, on whose confession the name of the petitioner surfaced, has been granted the privilege of bail in Cr. Misc. No. 56831 of 2017 vide order dated 01.12.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender and three more cases of similar nature are pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be released on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Sonpur, Saran, in connection with Chapra Rail P.S. Case No. 86 of 2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the



petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/Pragya

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