

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9569 of 2018

Arising Out of PS. Case No.-17 Year-2017 Thana- JEHANABAD RAIL P.S. District- Gaya

Rahul Kumar S/o Sri Anil Upadhyay, R/o Village- Nandana, P.O.- Bharthu,
P.S.- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay

For the Opposite Party/s : Mr. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 19-03-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Jehanabad Rail P.S. Case No. 17 of 2017 registered under
Section 379 of the Indian Penal Code.

Purse of the informant containing two mobiles,
cash and jewelry is said to have been snatched by some
unknown miscreants in the running train.

It is submitted by learned counsel for the
petitioner that neither the petitioner is named in the FIR nor any
incriminating article has been recovered from his conscious
physical possession. He has been falsely implicated in the case
merely on the basis of confessional statement of his mother



namely, Rubi Devi to the effect that the petitioner is habitual theft of mobile and mobile was also recovered from the possession of Rubi Devi which is said to have been given by the petitioner. But, the said mobile is not stolen one and moreover, no case of stealing of the mobile has been lodged against the petitioner by anyone. Though, one more criminal case has been lodged against the petitioner, but he is on anticipatory bail in the said case. He has been languishing in custody since 01.05.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate (Rail), Gaya in connection with Jehanabad Rail P.S. Case No. 17 of 2017.

(Prakash Chandra Jaiswal, J)

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