

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60072 of 2018

Arising Out of PS. Case No.-131 Year-2018 Thana- DARBHANGA RAIL P.S. District-
Samastipur

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Brahmdeo Yadav S/o Late Raghunath Yadav, R/o Vill.- Chandi (Ekmighat),
Ward No. 15, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate.
For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-11-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Darbhanga Rail (GRP/DBG)

P.S. Case No. 131 of 2018 instituted for the offence under Sections
328 and 379 of the Indian Penal Code.

It is alleged by the informant that on 28.5.2018 at about
2:30 a.m. when he and his wife Rita Devi arrived at Darbhanga
Railway Station from Ahmadabad and were waiting at Platform No.
2/3 for taking another Train to go to their native place, at about 4:00
a.m. two unknown persons came near them and started gossiping. It
is alleged that they had taken glass of the informant saying that they
would bring tea for them. Thereafter one of them went to bring tea
and after sometime he brought tea for them. It is further alleged that
after taking tea, the informant and his wife became unconscious and
when they regained consciousness, they found themselves in



DMCH. It is further alleged that the accused persons took away trolley bag containing golden chain, cash, cloth and mobiles etc.

Counsel for the petitioner submits that petitioner has clean antecedent. He is not named in the written report. The case has been registered against two unknown persons. Counsel for the petitioner further submits that petitioner has been made accused only on the ground that one stolen Mobile of the informant has been recovered from his possession. But that Mobile was not put on No Test Identification Parade.

Petitioner is said to be in custody since 27.6.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail 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 (Rail), Samastipur, in connection with Darbhanga Rail (GRP/DBG) P.S. Case No. 131 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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