

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75511 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- SONPUR RAIL P.S. District- Saran

Abhishek Kumar @ Beti, S/o Chuthan Rai, Resident of Village Basantpur,
P.S. Dighwara, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Sonpur (Hajipur) Rail P.S.
Case No.74 of 18 registered for the offence punishable under
Section 379 of the Indian Penal Code.

Informant in his written report has alleged that when
he was travelling by train on 29.11.2017 and when he reached at
Hajipur Junction at 6.45 a.m., he found that his wallet was
missing in which A.T.M. of S.B.I., Rs.2500/- and railway ticket
were kept.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case on the
basis of suspicion only. Petitioner is not named in the F.I.R. and
his name has surfaced on the confessional statement of co-
accused, Rahul Kumar and except the said confessional



statement made by the co-accused, there is no any incriminating material against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. It has further been submitted that similarly placed co-accused, Chandan Das, has already been granted bail by this Court, as contained in Annexure 2.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., (Railway) Sonpur, District, Saran in connection with Sonpur (Hajipur) Rail P.S. Case No.74 / 18, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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