

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16780 of 2018

Arising Out of PS.Case No. -115 Year- 2015 Thana -GAYA RAIL P.S. District- GAYA

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Vicky Kumar, Son of Ishwar Sao, Resident of Village-Nauranga, P.S. Muffasil, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 10-04-2018 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Gaya Rail P.S. Case No.115 of 2015 for allegedly having committed the offence under Sections 395 and 412 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner is not named in the F.I.R. nor his name has figured in the confessional statement made before the police by some co-accused persons, the petitioner is facing prosecution, for the reason that the mobile phone has been found to be used in the proximity of time and place where the dacoity in the train was committed. It is further submitted that other phones of seven suspects were considered and it is on the basis of such



probabilities, that the petitioner is facing prosecution.

Having considered the entire facts and circumstances of the case and the remoteness of the connection of the petitioner with the present occurrence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 the learned Railway Judicial Magistrate, Gaya, in connection with Gaya Rail P.S. Case No.115 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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