

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7305 of 2019

Arising Out of PS. Case No.-375 Year-2018 Thana- GAYA RAIL P.S. District- Gaya

Mumtaj Sah @ Momtaj Shah, aged about 38 years (M), son of Late Aminudin Sah, Village - Dulara, P.S- Cherki, District.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Ms.Asha Devi(APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Gaya Rail P.S. Case No. 375 of 2018 registered for the offences punishable under Sections 379/411 of the Indian Penal Code.

Allegation is recovery of stolen mobile from the possession of the petitioner thereafter he was handed over to the police with the said mobile set.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case on suspicion. Nothing incriminating was recovered from the possession of the petitioner. Petitioner is in custody since 22.11.2018.



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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Railway Magistrate, Railway Court, Gaya, in connection with Gaya Rail P.S. Case No. 375 of 2018, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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)

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