

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18377 of 2019

Arising Out of PS. Case No.-76 Year-2018 Thana- KHAGARIA RAIL P.S. District- Khagaria

RAJO SADA Son of Brahmdeo Sada Resident of Village- Amni Ward No. 3,
West Tola, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 25.12.2018 in a case registered for the offences punishable under Section 379 of the Indian Penal Code. Subsequently, Section 411 of the I.P.C. was also added.

Prosecution case is that on 29.09.2018, while the informant Shamina Khatoon was travelling in Brahmaputra Mail Train, two unknown miscreants snatched her purse containing Rs.7000/- cash, mobile phone and Aadhar Card, leading to registration of FIR against unknown. During investigation, it was found that in the robbed mobile phone, the SIM was found used in the mobile phone found registered in the name of the wife of the petitioner, Gita Devi.



It is submitted by learned counsel for the petitioner that the petitioner used to purchase second hand mobile without verifying that it was robbed or stolen one and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that in the robbed mobile phone, the SIM was found used in the mobile phone registered in the name of the wife of the petitioner.

Considering the fact that the investigation has already been concluded coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 Railway Judicial Magistrate, Khagaria in connection with Khagaria (Rail) P.S. Case No.76 of 2018.

(Dinesh Kumar Singh, J)

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