

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21181 of 2019

Arising Out of PS. Case No.-198 Year-2018 Thana- SONPUR RAIL P.S. District- Saran

TUNTUN MALLIK @ BHAKSU DOME, Son of Late Vishwanath Mallik,
Resident of Village - Ismailpur, P.S.- Hajipur Sadar, District - Vaishali
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 29-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Sonepur/Hajipur Rail P.S.**
Case No.198 of 2018 instituted for the offence under Section(s)
379, 411 Indian Penal Code.

It is alleged that while the informant was waiting for train at Hajipur Railway Junction, he slept near portico at around 2.30 AM. The informant woke up sensing that someone is touching his pocket. As soon as he woke up, he saw that one person was fleeing away from the place of occurrence. Informant immediately searched his pocket and found that rupees eight hundred in the denomination of Rs.500/- (one note) and Rs.100/- (three notes) have been stolen. He raised alarm upon which the police apprehended the petitioner. It is alleged



that cash of same denomination was recovered from possession of petitioner.

Counsel for the petitioner submits that Petitioner is in custody since 22.12.2018. The money recovered from possession of petitioner was his personal money. There is no identifying marks on the money.

From para 3, it appears that petitioner is involved in 27 cases of similar nature. The counsel for petitioner has submitted that he is on bail in all those cases.

Therefore, keeping in view the period of custody spent by petitioner, prayer of the petitioner for grant of bail 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 the **Additional Chief Judicial Magistrate, Railway, Sonapur, Saran**, in connection with **Sonapur/Hajipur Rail P.S. Case No.198 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

Further, (i) the petitioner will remain present on each and every date of trial, (ii) His absence on two consecutive date(s) without any reasonable cause will make his bail bond liable to be cancelled, and (iii) the petitioner will not intimidate



the witnesses in any way and will not hamper the trial.

(Sanjay Priya, J)

J. Alam/-

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