

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21360 of 2019**

Arising Out of P.S. Case No.-385 Year-2018 Thana- PATNA GRP CASE District- Patna

BRAJESH KUMAR SINGH (Male), aged about 26 years Son of Late Ramchandra Singh, Resident of Village- Ganouli, P.S.- Ara Muffasil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER**

2 05-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 29.10.2018 in connection with GRP Patna Case No.385 of 2018 for the offence alleged under Sections 379 and 411 of the Indian Penal Code.

The prosecution case as lodged by the informant is that while he was getting down from the train his mobile was pick-pocketed and on alarm, the petitioner was caught red handed with the mobile. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and



has been falsely implicated as the instance of the police as they are two seizure lists bearing different dates of preparation and different place of recovery. He further submits that chargesheet has already been submitted, there being no allegation of tampering with the prosecution evidence and the petitioner is languishing in judicial custody since more than five months.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations, the period of custody and that the petitioner does not bear any criminal antecedent as stated in para-3 of the present application, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with GRP Patna Case No.385 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Patna, subject to the conditions that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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