

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31421 of 2019**

Arising Out of PS. Case No.-36 Year-2019 Thana- BHAGALPUR RAIL P.S. District-
Bhagalpur

MD. RAJU @ PARVEJ S/o Md. Nasim @ Md. Ibrar @ Ivarar R/o village-
Ward No.- 09 Tatarpur, P.S.- Tatarpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anita Kumari Singh, Advocate
Mr. Dhaneshwar Vashist, Advocate.
For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER**

2 10-05-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Rail Bhagalpur P.S. Case No. 36 of 2019**, instituted for the offence under Section(s) 401 and 414 of the Indian Penal Code.

Counsel for the petitioner submits that petitioner has clean antecedent.

It is alleged in the written report that on the date of occurrence while the informant was on duty at Bhagalpur railway platform, he heard sound of “*Chor-Chor*”. The informant along with his Escort party proceeded towards the general Boggie of Howrah Gaya Express where they saw that Public had caught hold two persons namely, Md. Ashfaque and Md. Raju (petitioner). The passenger of the train disclosed that both of them were trying to pick pocket. It is alleged that on search, one Mobile phone along



with small pieces of blade has been recovered from possession of the petitioner. From co-accused Md. Ashfaq, one small scissors, some small pieces of blade and Rs. 3,600/- have been recovered.

Counsel for the petitioner submits that Mobile phone belonged to the petitioner.

Petitioner is in custody since 23.2.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, 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 **learned Additional Chief Judicial Magistrate (Incharge) Railway Magistrate, Bhagalpur**, in connection with **Rail Bhagalpur P.S. Case No. 36 of 2019**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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