

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34194 of 2019

Arising Out of PS. Case No.-197 Year-2018 Thana- BARAUNI RAIL P.S. District- Begusarai

GAURI PASWAN Son of Pyare Paswan Resident of Village-Shubhanipur,
Ward no.2, P.S.-Vidyapti Nagar, District-Samastipur At present resident of
village-Malkalipur, P.S.-Vidyapti Nagar, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
16.03.2019 in a case registered for the offence punishable
under Section 379 of the Indian Penal Code.

It is alleged that bag of the informant containing
cash of Rs.1,800/-, cloths, ATM card, PAN Card, Aadhar
Card, Voter Identity Card and a mobile phone was stolen by
unknown person while he was travelling in train, leading to
registration of FIR against unknown. It is further alleged that
during investigation, it was found that the petitioner was using
his SIM card in the stolen mobile of the informant.

It is submitted by learned counsel for the petitioner



that investigation has already been concluded. It is further submitted that neither any recovery has been made from the conscious physical possession of the petitioner nor the recovered article has been put on Test Identification Parade. 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 the petitioner was found using the stolen mobile.

Considering the nature of accusation and the investigation already being concluded coupled with the fact 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 ACJM, Railway, Barauni at Begusarai in connection with Barauni Rail P.S. Case No. 197 of 2018.

(Dinesh Kumar Singh, J)

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