

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53601 of 2019

Arising Out of PS. Case No.-112 Year-2017 Thana- DANAPUR RAIL P.S. District- Patna

RAVINDRA KUMAR Son of Prkash Bhagat @ Pragas Bhagat Resident of
Village - Paigamberpur, P.S.- Sibai Patti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 15-10-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Danapur Rail Police Station Case No. 112 of 2017,
disclosing offences under Section 379 of the Indian Penal Code.

The prosecution story, as per the First Information
Report, is that the brother of the informant, Chandan Kumar,
was going to Nagpur and had boarded the train from Danapur
Railway Station. It has further been alleged that one unknown
person along with others also boarded the train and the said
unknown person, on the pretext of having a talk with his wife,
borrowed the mobile from the brother of the informant and took
away the mobile of the brother of the informant.

Learned Counsel for the petitioner submits that the



petitioner is innocent and has got no criminal antecedent. He further submits that he is not named in the First Information Report and his name has transpired in course of investigation as the SIM of the petitioner was found to be used in the stolen mobile and was having no knowledge about the present case. He further submits that the mobile set, which was alleged to be stolen and was found in possession of the petitioner, was purchased by the petitioner from the market as a second-hand set.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and no incriminating material has been recovered from the possession of the petitioner and the petitioner has given justification that he has purchased the second-hand mobile set from the market, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Ravindra Kumar, in the event of his arrest or surrender before the Court below within four weeks, 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, Patna, in



connection with Danapur Rail Police Station Case No. 112 of
2017, subject to the condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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