

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42199 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- MUZAFFARPUR RAIL P.S. District-
Saran

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SHIVNATH PRASAD SINGH @ SHIVNATH PRASAD @ SHIV PRASAD,
aged about 50 years (Male), S/o Late Dewaki Prasad, Resident of Village-
Manglapur, P.S.-Sangrampur, District-Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Basant Kumar Singh, Advocate.
For the Opposite Party : Mr.Raj Kishore Singh,A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
14.03.2019 in a case for the offence registered under Sections
379, 328 and 307 of the IPC.

The prosecution story, in brief, is that on 19.01.2019
on Muzaffarpur Railway Station, one person by taking into faith
the informant boarded in a Train and gave Biscuit to him. After
eating Biscuit, he became unconscious and taken all belongings,
Rs. 6,000/- from his pocket and Mobile and got down from the
Train. After reaching the Train at Narkatiaganj, the informant
was admitted in Sub Divisional Hospital, Narkatiaganj in
unconscious condition.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. There is no recovery of any incriminating article from possession of the petitioner. It is further submitted that the petitioner may be released on bail after completion of six months in custody.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of six months in custody on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, (Railway), Sonpur, Saran at Chapra, in connection with Muzaffarpur Rail P.S. Case No. 19 of 2019.

(Sudhir Singh, J)

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