

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40218 of 2019

Arising Out of PS. Case No.-46 Year-2018 Thana- NAUGACHHIYA RAIL P.S. District-
Khagaria

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BHARAT KUMAR S/o Upendra Sharma R/o village- Fatehpur, Jamalpur
Gogri, P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Kishor Poddar
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-07-2019 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in Naugachhia Rail P.S. Case
No. 46/2018, instituted for offence under Section(s) 379 of the
Indian Penal Code.

It is alleged in the written report that some unknown
person committed theft of mobile phone of wife of informant
while informant and his wife were travelling in train.

Learned counsel for the petitioner has submitted that
petitioner has been falsely implicated in this case on the basis of
location of mobile. Petitioner has been arrested in this case
merely on suspicion.

It is mentioned in the impugned order that para 106



and 122 of case diary show that petitioner had used stolen mobile set with his SIM. It is further mentioned that in para 123 of case diary petitioner has stated that one unknown boy of Katihar had given him stolen mobile set to talk with his family members.

Petitioner is in custody since 21.04.2019.

Considering the aforesaid facts and circumstances, 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 the learned **Additional Chief Judicial Magistrate (Rail), Khagaria**, in connection with **Naugachhia Rail P.S. Case No. 46/2018**, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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