

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42144 of 2019

Arising Out of PS. Case No.-78 Year-2018 Thana- JEHANABAD RAIL P.S. District- Patna

SUDARSHAN KUMAR @ JATHA @ KUNDAN, aged about 24 years
(Male), S/o Arvind Paswan, R/o Bairamchak, P.S.- Masaurhi, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Subodh Kumar, Advocate.
For the Opposite Party : Mr. Ramesh Chandra, A.P.P.

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
06.03.2019 in a case for the offence registered under Section
379 of the IPC.

The prosecution story, in brief, is that on 16.08.2018,
the informant was going to Gaya by Train, when she reached at
Nadaul Railway Station, he noticed that her Mobile of Samsung
Company J-7 consisting of two SIM vide No. 7667884477 of
Jio Company and another SIM No. 7525882324 of Airtel
Company was stolen by unknown person. She gave this
information to Gaya Rail Police Station.

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. One Mobile is alleged to have been recovered. The said Mobile has not been put on T.I. Parade to ascertain whether it was stolen property or not. 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 Court, Patna Junction, Patna, in connection with G.R.P. Jehanabad (Taregana) P.S. Case No. 78 of 2018.

U.K./-

(Sudhir Singh, J)

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