

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47060 of 2019**

Arising Out of PS. Case No.-253 Year-2018 Thana- MUZAFFARPUR RAIL P.S. District-  
Saran

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Shivnath Prasad @ Shivnath Prasad Singh @ Shiv Prasad Son of Late  
Dewaki Prasad Resident of Village-Manglapur, P.S.-Sangrampur, District-  
Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Basant Kumar Singh

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      30-07-2019              Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in a case registered under  
Sections 379/328 and 307 of the Indian Penal Code.

The prosecution case in short is that in course of returning  
Sitamarhi from Delhi by train, one person got eaten biscuit to  
the informant, as a result of which, the informant became  
senseless and in consequence thereof, his belongings were taken  
away.

It has been submitted on behalf of the petitioner that there  
is no allegation of tampering of witnesses alleged against the  
petitioner. The petitioner is in custody since 14-03-2019. Charge  
sheet has already been submitted. The petitioner is not named in



the FIR. The name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner. It is further submitted that the petitioner will cooperate in trial.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, (Railway) Sonapur, Saran at Chapra in connection with Muzaffarpur Rail P.S. Case No. 253 of 2018.

**(Sudhir Singh, J)**

A.K.V.//-

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