

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57941 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- GANDHIMAIDAN District- Patna

RAHUL KUMAR @ ROHIT KUMAR Son of Ghanshyam Prasad @
Ghanshayam Choudhary Resident of Mohalla - Mandiri, P.S.- Buddha
Colony, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Fakhruddin Ali Ahmad

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-09-2019 Let the supplementary affidavit filed on behalf of the
petitioner be kept on the record.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Gandhi Maidan P.S. Case No.29 of 2019 registered under
Section 392 of the Indian Penal Code.

The accusation is that the informant being the IT
Head of Titan Company, Kolkata, had come at Patna to visit
Titan Company. After making visit there, he was going to
Panash Hotel by Toto. In that course, when he reached near the
office of the Commissioner, two unknown persons borne on
bike came from his behind and snatched his mobile and started



to flee away. When the informant raised alarm, the local public and the police ran behind them due to which the unknown bike driver fell down. While they tried to apprehend him but he succeeded to flee away taking the mobile of the informant, leaving his bike and one mobile phone, which were handed over to the police.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. In course of investigation, the police got recorded the confessional statement of Santosh Kumar Singh in which he admitted about snatching of the mobile of the informant and also stated at that time, Suraj Kumar Singh was sitting with him on the motorcycle and the petitioner and one Golu was also behind him on another motorcycle. Further submission is that the petitioner is accused in one more case, as detailed in paragraph-3 to this application, due to that reason, the police got managed to implicate the petitioner in the present case, showing the confessional statement of Santosh Kumar Singh. Further submission is that the similarly situated co-accused Suraj Kumar has already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 29.07.2019 passed in Criminal Misc. No.46565 of 2019.



Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-XVII, Patna, in connection with Gandhi Maidan P.S. Case No.29 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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