

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.70399 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- SAHARSA RAIL P.S District- Khagaria

Md. Sattar S/o Md. Isak, Resident of Village- Gouripur, Ward No.8, P.S.-
Singheshwar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

.. ... Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Respondent/s : Smt. Gulnar Begam

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 10-01-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Saharsa Rail P.S. Case No. 23 of 2018 registered for the offence
punishable under Sections 379/34 of the Indian Penal Code.

The case of the prosecution is that the petitioner was
caught red handed while snatching the mobile, however, he
managed to hand over the mobile to his associate who had then
fled away.

The learned counsel for the petitioner submits that no
recovery has been made from the possession of the petitioner
and the petitioner is innocent as well as he has been falsely
implicated in the present case. The petitioner is stated to be in
custody since 03.09.2018.



I have perused the FIR and the materials on record and I find that the petitioner was caught red handed stealing the mobile sets, however, he managed to hand over the same to his accomplice, hence no recovery was made from his possession. I also find that the petitioner is accused in two other cases which are of similar nature and he appears to be a habitual offender.

Having considered the submissions made by the learned counsel for the petitioner as also the criminal antecedent of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail upon deposit of Rs. 25,000/- (Rs. Twenty Five thousand) in cash and subject to such conditions as may be imposed by the learned Additional Chief Judicial Magistrate, Railway, Khagaria in connection with Saharsa Rail P.S. Case No. 23 of 2018.

The bail petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

