

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70898 of 2019

Arising Out of PS. Case No.-28 Year-2018 Thana- MOKAMA RAIL P.S. District- Patna

CHAMRU @ CHAMO MAHTO @ CHAMRU MAHTO Son of Jawahar
Mahto Resident of Village - Simariyaghat Bind Toli, P.S.- Barauni, Distt -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 30.5.2019 in a case registered for the offences punishable under Sections 379 and 304 of the I.P.C. Subsequently, Sections 394 and 302 of the IPC were added.

It is alleged by the informant through the written report submitted to the SHO, Rail Police Station, Hathidah, that the informant along with her husband and two daughters were travelling in a train. As soon as the train departed from Rampur Dumra Station, one person snatched her hand bag and fled away from the platform, thereafter her husband also jumped from the running train to catch him and scuffle took place between them. The husband of the informant told her



to get down from the train at Jasidih Station. The informant wanted to talk to her husband on mobile phone but his mobile phone was found switched off. Subsequently, the dead body of the husband of the informant was recovered.

It is submitted by learned counsel for the petitioner that the FIR was lodged against unknown but his name sprang up in the confession of a co-accused Pankaj Kumar. It is further submitted that the co-accused Abhishek Kumar, who is alleged to have used the SIM of the mother of the informant which was being used by the informant, in the robbed mobile phone, has been granted bail by Co-ordinate Bench of this Court vide order dated 25.10.2018 passed in Cr. Misc. No. 64498 of 2018. Though the petitioner is accused in four other cases but he is on bail in three of them and investigation has already been concluded.

Learned APP submits that the name of the petitioner sprang up during investigation in confession of the co-accused.

Considering the nature of recovery, the fact that there is nothing on record to suggest that the petitioner has been put on Test Identification Parade and the period in custody, 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 Sessions Judge XVI, Patna in connection with Mokama (Hathidah) Rail P.S. Case No. 28 of 2018.

(Dinesh Kumar Singh, J)

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