

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 2250 of 2020

Arising Out of PS. Case No.-31 Year-2019 Thana- SAHARSA RAIL P.S District- Khagaria

AMIT RAJ Son of Jitendra Jha Resident of Village - Bargawn, P.S.- Basnahi,
Distt - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 **16-01-2020** Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Saharsa (Banmankhi) Rail Police Station (for brevity, *PS*) Case No 31 of 2019, GR (R) No 228 of 2019 instituted for the offence punishable under Section (s) 379 of Indian Penal Code.

First information report (for brevity, *FIR*) has been lodged before the Rail Police, Saharsa (Banmankhi) against unknown persons when the informant discovered that his motorcycle, parked outside the Railway Station, had gone missing. Petitioner has been arrested in connection with the said case and is in custody since 14.10.2019. It is submitted that having no criminal antecedent, the petitioner has falsely been implicated in this case. Even, as per allegations in the *FIR*, there is no eye witness to the occurrence. Recovery of key, mobile phone and other articles can, in no manner, suggest the petitioner's



involvement in theft of motorcycle. No motorcycle has been recovered from the possession of the petitioner. It is submitted that the Investigating Officer himself, on suspicion, has named the petitioner on extraneous considerations.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Railway Judicial Magistrate, Khagaria in connection with Saharsa (Banmankhi) Rail PS Case No 31 of 2019, GR (R) No 228 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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