

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9043 of 2020

Arising Out of PS. Case No.-77 Year-2019 Thana- JAMALPUR RAIL P.S. District-
Lakhisarai

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MUKUL KUMAR Son of Barun Kumar Singh Resident of Village - Naya
Ramnagar, P.S.- Naya Ramnagar, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-03-2020 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Jamalpur Rail P.S. Case No. 77 of 2019 for the offence
registered under Section 379 of the Indian Penal Code.

The allegation is regarding an incident of pick
pocketing having taken place with the sister of the informant at
the railway station and subsequently a mobile is stated to have
been found from the petitioner herein, however, the mother of
the petitioner had voluntarily deposited the said mobile with the
police station.

The learned counsel for the petitioner has submitted
that the petitioner is innocent and has been a victim of
circumstances and has been falsely implicated in the present
case. It is further submitted that though the petitioner is an



accused in three other cases but he is on bail in the said cases. Lastly, it is submitted that since the mother of the petitioner has voluntarily surrendered the mobile before the police station, no *mens rea* can be said to be present in this case.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Kiul in connection with G.R.P.S. Jamalpur Case No. 77 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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