

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12830 of 2020

Arising Out of PS. Case No.-151 Year-2019 Thana- SONPUR RAIL P.S. District- Saran

Lakhan Mali S/o Late Ramchandra Mali presently residence of Village-
Phulwaria, P.S.- Kasawa, Distt- Purniya, Permanantly residence of Village-
Auria, P.S.- Banka, Distt- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-06-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsels for the petitioner and the
State.

The petitioner, who is languishing in custody since
13.11.2019, has preferred the present application for grant of
bail in a case registered for the offences punishable under
Sections 379 and 411 of the IPC.

The prosecution case, as per the written report of
Munni Kumari, submitted to the SHO, Rail Sonapur/Hajipur
Police Station is to the effect that on 11.11.2019, the informant
was travelling from Hajipur to Siwan, but on Hajipur Junction,
her mobile phone was stolen from her purse, and when she rang



up on her mobile phone, she came to know from a police officer that her mobile phone has been recovered from a person who disclosed his name as Lakhan Mali, the petitioner.

It is submitted by learned counsel for the petitioner that the investigation has already been concluded and the petitioner is languishing in custody since 13.11.2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that stolen mobile phone of the informant was recovered from the petitioner.

Considering the nature of accusation, period under custody and the investigation being concluded, coupled with the fact that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Rail Judicial Magistrate, Sonapur in connection with Sonapur/Hajipur Rail P.S. Case No. 151 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the



bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned Rail Judicial Magistrate, Sonapur in connection with Sonapur/Hajipur Rail P.S. Case No. 151 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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

