

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18344 of 2020

Arising Out of PS. Case No.-234 Year-2019 Thana- JHAJHA RAIL P.S. District- Lakhisarai

RAJU KUMAR TIWARY Son of - Late Ramanuj Tiwari Resident of Village -
Sultanpur, P.S. - Mokama, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mrs. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Ms. Pushpa Sinha, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Jhajha (Jamui) Rail P.S. Case No. 234 of 2019 for the offence punishable under Sections 379 and 411 of the Indian Penal Code.

The case of the prosecution in brief is that while the informant along with his relatives was travelling in the train on the alleged date and time of the incident, one unknown miscreant snatched the mobile and jumped from the running train whereafter the informant is stated to have chased the said miscreant and caught him as also is stated to have recovered the said mobile from him and upon asking his name, he had disclosed his name as Raju Kumar Tiwary i.e. the



petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 29.12.2019. It is further submitted that though the petitioner is an accused in two other cases but he is on bail in the said two cases.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the period of incarceration of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned Railway Judicial Magistrate, Kiul (Lakhisarai) in connection with Jhajha (Jamui) Rail P.S. Case No. 234 of 2019.

(Mohit Kumar Shah, J)

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