

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75676 of 2019

Arising Out of PS. Case No.-136 Year-2018 Thana- SONPUR RAIL P.S. District- Saran

Rajesh Mahto Son of Dev Nandan @ Devan Mahto, Resident of Village-
Musapur, Noniya Tola, Ward No.4, P.S.-Muffasil, District-Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-03-2020 Heard the parties.

The petitioner seeks bail in Sonpur (Hajipur) Rail P.S.
Case No.136 of 2018 registered for the offence punishable under
Sections 328,307,379/34 of the Indian Penal Code.

As per F.I.R. while the informant was travelling by train,
after some interaction, accused persons brought puri and Julebi,
which was eaten by the informant and his co-villager and after some
time they got unconscious and their bag along with other articles
were stolen away.

Submission of learned counsel for the petitioner is that the
petitioner has been falsely implicated in this case. The petitioner is
not named in the F.I.R. and later on one of the co-accused person was
arrested and made confession and in his confessional statement, the
name of the petitioner surfaced. Learned counsel for the petitioner
submits that except the confessional statement, there is no material



against the petitioner. It is submitted that similarly situated co-accused person has already been granted bail vide order dated 02.05.2019 passed in Cr.Misc.No.29241 of 2019. The petitioner is in custody since 22.07.2019.

Learned Addl. Public Prosecutor has opposed the prayer for bail and submits that the petitioner is also accused in nine other cases.

Considering facts, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Railway, Sonapur (Saran), in connection with Sonapur(Hajipur) Rail P.S. Case No.136 of 2018 with condition that he has to appear before the Railway Police Station, Sonapur for a period of six months, so that the police may watch the activities of the petitioner, otherwise the bail bond of the petitioner shall be cancelled.

Let a copy of this order be communicated to the Superintendent of Police(Rail), Samastipur as well as Muzaffarpur for the needful.

With the above observation, this application is allowed.

(Vinod Kumar Sinha, J)

nawalkrs/-

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