

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21222 of 2021**

Arising Out of PS. Case No.-98 Year-2019 Thana- MOKAMA RAIL P.S. District- Patna

Rupesh Kumar Son Of Jyoti Paswan R/O Village- Sahabad, P.S- Sultanganj,
Dist- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

4 29-11-2021 Heard Shri Sharda Nand Mishra, learned counsel
appearing on behalf of the petitioner and Shri Parmeshwar
Mehta, learned APP appearing on behalf of the petitioner.

Petitioner seeks regular bail in connection with Rail
Mokama P.S. Case No. 98 of 2019 registered for offences
punishable under Section 395 of the Indian Penal Code.

It is the case of the prosecution that on 19.10.2019
while the informant was travelling by Train No. 063206 from
Patna to Kiul at about 23:34 hrs, 5-6 accused persons aged about
18-22 years started snatching articles from the petitioner and co-
passengers at Barh Station. One Redmi mobile phone was
snatched from the possession of the petitioner and, accordingly,
an FIR was lodged in connection with GRP Mokama P.S. Case
No. 98 of 2019 under Section 395 of IPC.



Learned counsel appearing on behalf of the petitioner submits that in paragraph no. 3 of the present bail application he has given the criminal antecedent of the petitioner and by way of supplementary affidavit he has also given the details of cases in which he has been discharged as well as being released on anticipatory bail or either certain cases pending against the petitioner. He further submits that so far as the present case is concerned he has falsely been implicated and he has not been named in the FIR. He further submits that petitioner is in custody since 11.11.2019 and he may be released on bail on certain condition so that he may not commit such offences in future.

Learned A.P.P. submits that this is not a fit case in which petitioner should be granted bail and several cases are pending against him and he commits robbery in trains in the said route in routine manner and as such does not deserve to be released on bail. .

Considering the facts and circumstances of the case, rival submissions of the parties and materials on record, this Court directs to release the petitioner above named on bail upon furnishing bond of Rs. 5,00,000/- (Rupees Five Lakh) by his father, Shri Jyoti Paswan, Resident of Village-Sahabad, P.S.-



Sultanganj, District-Bhagalpur with two sureties furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand) each to the satisfaction of learned Railway Judicial Magistrate, Patna in connection with Rail Mokama P.S. Case No. 98 of 2019 subject to the conditions as laid down under Section 437(3) Cr.P.C. and further conditions as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter.

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make an inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Purnendu Singh, J)

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