

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31355 of 2021**

Arising Out of PS. Case No.-5 Year-2020 Thana- DANAPUR RAIL P.S. District- Patna

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RAMESH SAH @ RAMESH SAO SON OF SHYAM NARAYAN SAW R/O
CHANDWA WARD NO.-14, P.S.- ARA NAWADA, DISTRICT- BHOJPUR.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 26-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with G. Rail, Danapur (Bihta) P.S. Case No. 05 of 2020 registered for the offence punishable under Section 379 of the I.P.C.

According to prosecution case, on 22.01.2020 the informant along with his wife was travelling by Train No. 12149 DN Pune Danapur Express and on 24.01.2020 as soon as his wife awoke she did not find her purse in which ATM Card, AADHAR Card, PAN Card and three mobile phones were kept. The informant suspects that some unknown person has stolen



the said purse.

Learned counsel for the petitioner submits that petitioner has no criminal antecedent and he has falsely been implicated in the present case. Learned counsel further submits that nothing has mentioned in the FIR how the police has reached there and how the police has identified that the said mobile was theft property. Petitioner has been made accused in this case on the basis of suspicion only. No T.I. parade has been done by the police in this case. Petitioner is in custody since 06.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, 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 the learned Railway Judicial Magistrate, Patna in connection with G. Rail, Danapur (Bihta) P.S. Case No. 05 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present



as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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