

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1009 of 2021

Arising Out of PS. Case No.-81 Year-2019 Thana- JHAJHA RAIL P.S. District- Lakhisarai

GOURAB KUMAR @ GAURAV KUMAR S/o Vijay Mandal R/o village-
Santar Mohalla, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of normal functioning of the court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 401 of the Indian Penal Code.

Prosecution case as lodged by the police personnel is that during the patrolling at Railway Platform, two persons were trying to flee away but after chasing them, one has been apprehended by the police. The apprehended person disclosed his name as Raja Sahni @ Raja Bind. He further stated that they are thieves and committed theft in Rail. On search in presence



of independent witnesses, a steel scissors and a peace of blade has been recovered from the packet of apprehended person.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that no any incriminating article has been recovered from the possession of the petitioner. He submits that name of the petitioner has come in this case on the basis of confessional statement of co-accused which is not evidentiary value in the eye of law. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 22.01.2020.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Rail, Kiul, Lakhisarai in connection with G.R.P. Jhajha P.S. Case No. 81 of 2019.

(Anjani Kumar Sharan, J)

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