

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4433 of 2021

Arising Out of PS. Case No.-178 Year-2019 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

=====

KAUSHAL KISHOR @ KISHORE SON OF LATE AVADH KISHORE R/O
-BARIYA KALA, BARIA KALAN, FATUHAN, P.S.- GAURICHAK,
DISTRICT- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-11-2021 Heard the learned counsel for the petitioner and Sri
Shantanu Kumar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Bakhtiyarpur (Khusrupur) Rail PS case no.
178 of 2019 registered for the offences punishable under Section
379 of Indian Penal Code.

The allegation is regarding unknown miscreants
having stolen the bag of the informant containing a mobile
phone and other articles while the informant was travelling on a
train.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case and is having a clean antecedent.



The learned counsel for the petitioner has further submitted that the name of the petitioner has transpired in the present case only on the basis of confessional statement of the co-accused person namely Om Prakash Saw and the fact is that nothing incriminating has been recovered either from the house of the petitioner or from the conscious possession of the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer of bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, especially the fact that the petitioner is having a clean antecedent and his name has transpired in the present case only on the basis of disclosure made by the co-accused person, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Rail, Patna in connection with



Bakhtiyarpur (Khusrupur) Rail PS case no. 178 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

