

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10791 of 2022

Arising Out of PS. Case No.-46 Year-2021 Thana- DANAPUR RAIL P.S. District- Patna

JIMMI @ JIMIANNND @ JIMMI PRASAD S/o Putul @ Jeet Prasad Resident
of Bari Khagaul, P.S.- Khagaul, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate
For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Danapur
Rail P.S. Case No. 46/2021 registered for the offences
punishable under Sections 392 of the Indian Penal Code.

As per prosecution case, that Shambhu Yadav gave his
fardbeyan before the A.S.I., Prayagraj Junction Police Station,
Prayagraj on 27.03.2021 alleging therein that on 26.03.2021, the
informant was travelling from Train No. 09484 from Baidyanath
Dhaam Express to his home town. At about 1 P.M., one person
opened the door of that bogie and another person came inside
the train and snatched the mobile phone of the informant and



jumped down from the train and the first person remained standing at the door. Later the other people of the coach also gathered and everyone asked about this incident, then apprehended person disclosed his name as co-accused Rikki Sinha and the name of the escapee as Jimmi. The informant along with the other people of the coach caught him and handed over him to the concerned station.

Learned counsel for the petitioner submits that petitioner is in custody since 15.06.2021. Petitioner bears criminal antecedent of four cases of similar nature. Charge-sheet has already been submitted there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioner further submits that the name of the present petitioner has been disclosed by the apprehended co-accused whose name is Rikki Sinha. The petitioner is not apprehended on the spot.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, nature of allegation, charge sheet has already been submitted there is no likelihood of tampering with the prosecution evidence and also taking into consideration the



material available on record, let the petitioner above named be released on bail after framing of charges on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of J.M., Railway, Patna in connection with Danapur Rail P.S. Case No. 46/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

amitkr/-

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

