

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35848 of 2021**

Arising Out of PS. Case No.-38 Year-2018 Thana- SAGAULI District- West Champaran

PUJA KUMARI @ RADHA KUMARI D/O SRI ARUN PASWAN
RESIDENT OF VILLAGE -SAKRARA BAHUARI WARD NO 04 P.S-
RAMGARHWA, DIST-- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr. Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 05-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with Sagauli Rail P.S. Case No. 38 of 2018 registered for the offence under Sections 386, 420, 323 / 34 of the I.P.C.

As per the allegation informant along with his friend had gone to Sagauli Railway Station in the night and when they reached towards the Eastern end of the platform no. 02 a girl was seen there, who proposed the informant and took the informant out of the platform where a silver colour Bolero Jeep was standing in which three persons were sitting. The informant and his friend also sat in the vehicle and thereafter the driver of the vehicle took them to a lonely place and snatched their



mobile, watch, cash and assaulted the informant and his friend also. The petitioner was arrested three days after the occurrence.

Learned counsel for the petitioner submits that petitioner has not committed the offence as alleged and from perusal of the First Information Report it would be evident that there is no specific allegation of snatching against the petitioner. He further submits that similarly situated accused persons who were sitting in the Bolero vehicle have been granted bail by different Co-ordinate Benches of this Court vide Cr. Misc. Nos. 69901 of 2018 and 20067 of 2020 (Annexure- 2 & 2/1 to this bail petition) and the petitioner is in custody since 02-08-2018.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 02/08/2018 having no criminal antecedent and the co-accused persons have been granted bail by this court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Bettiah, West Champaran in connection with Sagauli



Rail P.S. Case No. 38 of 2018 on the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 Court and in case of his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

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

(Anil Kumar Sinha, J)

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