

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28044 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- KIUL RAIL P.S. District- Lakhisarai

RAM NARESH PANDEY Son of Late Vishnu Bhagwan Pandey Resident of
Village - Purana Bhojpur, Police Station - Dumraon, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-08-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with G.R.P. Rail Kiul P.S. Case No. 14 of 2022 for the offences
under Sections 414 of the Indian Penal Code.

As per the FIR, a Bravo Team was constituted for
safety of luggage of passengers and in that course, they were
checking the suspects on the platform. They later found a person
carrying a hand bag behind the office of the R.M.S. in
suspicious condition. Upon search, some golden bangles, chain,
ring, lady wrist watch and cash as also small purse having Vibha
Chanda Jewellers written on it were recovered. The other



materials recovered were the smart phones.

In the meanwhile one mobile started ringing and when the same was picked up, the other side disclosed his name as Ravi Kumar Jha and he disclosed that the mobile belonged him and stolen. Accordingly, the materials were seized, the petitioner was taken into custody and the FIR was lodged.

Learned counsel for the petitioner submits that he was mere passenger and alighted from the train and had nothing to do with the bag but the police who found the same lying on the platform attributed it to him. Accordingly, he has been implicated in this case. He further submits that for the said allegation against him, he has suffered a lot by being in jail since 14.02.2022 (as stated in paragraph-12 of the bail application).

Taking into account the aforesaid facts as also the fact that he is in custody since 14.02.2022 and charge sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Railway Judicial Magistrate, Kiul, Lakhisarai in connection with (G.R.P.) Rail



Kiul P.S. Case No. 14 of 2022, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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