

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44594 of 2021

Arising Out of PS. Case No.-61 Year-2019 Thana- MOKAMA RAIL P.S. District- Patna

RUDAL KUMAR @ RUDAL RAI @ RUDAL RAY, Son of Rama Rai, Resident of Village- Tatarpur, Police Station- Mohaddinagar, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-02-2022 Learned counsel for the petitioner undertakes to remove the defects as pointed out by the Stamp Reporter within four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present is seeking regular bail in connection with G.R.P. Mokama (Hathidah) P.S. Case No. 61 of 2019 registered for the offences punishable under Section 379 of the Indian Penal Code. The petitioner is in custody since 31.03.2021. He has got two criminal antecedents.

Learned counsel for the petitioner submits that as per the prosecution story, informant alleged that her purse containing two mobile phones, manglasutra, other ornaments, cash, ATM card etc. worth more than Rs. 1,00,000/- was snatched



away by a person while she was travelling on train no. 15097 UP near Simariya.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is not named in the F.I.R. and nothing has been recovered from his possession. It is further submitted that the name of the petitioner has transpired in the statement of one Amit Kumar from whose possession the theft mobile is said to have been recovered.

It is further submitted that presence of the petitioner may be secured during trial.

Mr. Akhileshwar Dayal, learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the submission that the petitioner is neither named in the F.I.R. nor any recovery has been made from his possession and in connection with the present case he has remained in custody for 11 months, investigation against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Patna in connec-



tion with G.R.P. Mokama (Hathidah) P.S. Case No. 61 of 2019,
subject to the conditions as laid down under Section 437(3) of
the Cr.P.C.

And further condition that the court below shall verify
the criminal antecedent of the petitioner and in case at any stage
it is found that the petitioner has concealed his criminal an-
tecedent, the court below shall take steps for cancellation of bail
bond of the petitioner. However, the acceptance of bail bonds in
terms of the above-mentioned order shall not be delayed for pur-
pose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present ar-
rangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded
on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

