

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44883 of 2021**

Arising Out of PS. Case No.-15 Year-2021 Thana- BEGUSARAI RAIL P.S. District-
Begusarai

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Shabir Miyan @ Tikku S/o Md. Rabban Resident of Village- Lohiya Nagar,
Ward No.-25, P.S.- Lohiya Nagar (O.P.), Begusarai Town, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 05-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in connection with Begusarai
G.R.P. Rail P.S. Case No. 15 of 2021 instituted for the offences
under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 13.03.2021 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioner submits that
informant alleges that while he along with his wife was getting
down from train at platform no. 1 at Begusarai, one unknown
accused snatched gold chain of his wife but was apprehended by
Rail Police and he disclosed his name as Raushan Kumar.



Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. Further, from the F.I.R. it is clear that Raushan Kumar who snatched the gold chain was apprehended at the place of occurrence itself and he disclosed the name of this petitioner. It is further submitted that based on the confessional statement, the name of this petitioner transpired and the alleged snatched gold chain is said to have been recovered from his house. Learned counsel submits that it absolutely does not stand to reason that when Raushan Kumar was apprehended at the place of occurrence itself how come the chain was recovered from the house of this petitioner. He further submits that the chain belongs to his wife and the alleged recovered chain was not put on T.I.P.

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

Considering the fact that the petitioner is in custody since 13.03.2021, charge-sheet has been submitted in the case, he is not named in the F.I.R. and his name surfaced based on the confessional statement of Raushan Kumar, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties of the like amount each to the satisfaction of learned Rail Judicial



Magistrate, Barauni, Begusarai in connection with Begusarai
G.R.P. Rail P.S. Case No. 15 of 2021 with a condition that one
of the bailors shall be the father of the petitioner.

(Satyavrat Verma, J)

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