

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53312 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- GAYA RAIL P.S. District- Gaya

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DHANANJAY PASWAN @ DHANJAY PASWAN S/o JAGDEV PASWAN
(IN FIR WRONGLY WRITTEN AS 24 YEARS), R/o VILLAGE-
CHANDREHTA @ CHANREHTA, P.S-RAFIGANJ, DISTRICT-
AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-04-2022 Heard learned counsel for the parties

The petitioner is in judicial custody in connection with Gaya Rail P.S. Case No. 102 of 2021 dated 16.06.2021 registered under Sections 379 and 411 of the Indian Penal Code.

As per the prosecution case, the informant, who is the police officer on patrolling duty has stated that when the Train No. 02875 started leaving the platform, one person got down from the train and on suspicion, he was apprehended. When police officer inquired from him he tried to give evasive answer. Meanwhile the mobile that he was carrying started ringing and the caller of the other side informed that it is his mobile which has just been snatched by a person. It was in this way that this First Information Report has been lodged.



Learned counsel for the petitioner submits that the petitioner is innocent and actually he was exiting railway gate where he had altercation with the police officer and that led to his false implication in this case. He further submits that he is in jail since 16.06.2021 and this is the first offence as he has stated in paragraph-3 of the bail application, he deserves bail.

Taking into consideration the aforesaid facts as also that he is in jail since 16.06.2021, this Court is inclined to grant the privilege of bail to the petitioner.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Gaya Rail P.S. Case No. 102 of 2021 to the satisfaction of learned Judicial Railway Magistrate, Gaya, subject to the following conditions :-

(i) one of the bailor should be the family member of the petitioner, who will produce official document to show his *bona fide*;

(ii) he shall appear before the local police station every fortnight for next six months to mark his presence

(iii) he shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason, the Trial Court will cancel his bail.



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

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

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