

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53617 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- GAYA RAIL P.S. District- Gaya

1. Manoj Paswan @ Litti Paswan S/O Ramu Paswan R/O Mohalla-Bageswari Gumti, Pahsi, P.S-Delha, District-Gaya.
2. Surendra Sao @ Mukhiya S/O Harinandan Sao R/O Near Bageshwari Gumti, P.S-Delha, District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Gaya Rail P.S. Case No.63 of 2021, registered for the offence under Sections 392 of IPC.

As per allegation in the FIR, the informant along with his wife was coming from Kalka Mail Train, when the train stopped near Begeshwari Gumti then a person snatched the hand bag of his wife and fled away.



Learned counsel for the petitioners submits that they are not named in the FIR and have falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the seizure list that two mobile phones were recovered from possession of the petitioner no. 1 and one Mangal Sutra from petitioner no. 2 and police after investigation submitted charge-sheet against the petitioners. The petitioners are in custody since 03.04.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners and submits that petitioner no. 1 carries two more cases and petitioner no. 2 carries four more cases other than the present one.

Considering the fact and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Gaya in connection with Gaya Rail P.S.Case No.63 of 2021 with the following conditions:-

(1) Petitioners 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 the Court and on their absence on two consecutive dates without sufficient



reason, their bail bond shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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