

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54197 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- MOKAMA RAIL P.S. District- Patna

SUDHANSHU KUMAR Son of Shambhu Pathak Resident of Village-
Paprol, P.S.- Barauni, Dist- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. A.K. Thakur,
Mr. Prem Kumar, Advocates
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-05-2022 Heard Mr. A.K. Thakur, learned counsel for the

petitioner and Mr. Md. Matloob Rab, learned Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with Rail
Thana Mokama PS Case No. 20/2021 registered for the offence
punishable under Section 379 of the IPC.

As per First Information Report, a trolley bag of the
informant was stolen from the Poorva Express containing
valuables (i.e. Lenovo laptop, Reebok shoes and cash of
Rs.10,000/-) and the same was recovered from the Ranjeet
Hotel, Begusarai.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case mainly on the



basis of the fact that he happens to be waiter (Baira) of the said hotel and he has been implicated in this case only on suspicion. Learned counsel further submits that petitioner is not an accomplice of the accused persons from whose possession the stolen articles have been recovered and on the basis of the allegation levelled against the petitioner, at best, offence under Section 212 IPC will be attracted and the petitioner is in custody since 19.04.2021. Charge-sheet has already been submitted in the matter.

He next submits that similarly situated co-accused persons, namely, Rajkumar Rai @ Rajkumar *vide* Cr. Misc. 53407 of 2021, Sonu Singh *vide* Cr. Misc. No. 60242/2021 and Bachu Singh @ Bachhu Singh @ Chandan Kumar *vide* Cr. Misc. No. 42057/2021 have been granted bail by this Court.

Regards being had to the submissions made by the parties and taking into consideration the material on record, the fact that petitioner is in custody since 19.04.2021, petitioner is waiter (Baira) of the hotel in which the accused persons had stayed, charge-sheet has already been submitted in the matter and similarly situated accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SUDHANSHU



KUMAR, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Patna in connection with Rail Thana Mokama PS Case No. 20/2021.

(Anil Kumar Sinha, J)

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