

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49065 of 2022

Arising Out of PS. Case No.-39 Year-2021 Thana- JEHANABAD RAIL P.S. District- Gaya

Amrendra Yadav @ Sanjay Yadav @ Mathura, aged about 20 years, male,
Son of Shree Suraj Yadav, Resident of Village - Harigaw, P.s.- Bela, Distt.-
Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nagendra Sharma, Adv.
For the Opposite Party : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-12-2022 This matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Railway P.S.
Jenanawad case No. 39/2021 dated 16.08.2021 registered for the
offence punishable under Section 319/411 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
informant's mobile phone has been snatched by miscreants at
Bela railway station. The same has been recovered from co-
accused Navin Kumar and in his statement recorded under
Section 164 of Code of Criminal Procedure, 1973, Navin Kumar



has alleged that he purchased the mobile phone from this petitioner.

Learned counsel for the petitioner submits that his implication is based on statement of co-accused in support of such allegation of purchasing the stolen mobile phone from the petitioner no chit of paper has been produced. The petitioner is in custody since 09.05.2022. He is stated to be on bail in the two criminal cases pending against him since before as per disclosure which made in paragraph 3 of the petition.

It is further submitted that mobile phone has not been recovered from the petitioner's possession.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, 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 the learned Railway Judicial Magistrate, Gaya, in connection with Railway P.S. Jehanabad Case No. 39/2021 dated 16.08.2021, subject to the following conditions:-



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

Raj kishore/-

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