

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58163 of 2021

Arising Out of PS. Case No.-9 Year-2021 Thana- SAHARSA RAIL P.S District- Khagaria

Brajesh Kumar @ Barjesh Kumar Son of Jay Kumar Yadav Resident of
Village - Rajpur Hat, Police Station - Pipra, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak, Advocate.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present application has been filed on behalf of the petitioner, above named, for grant of regular bail to the petitioner who has been made accused and put behind the bars in connection with Saharsa Rail P. S. Case No. 09 of 2021 registered for the offences punishable under Sections 379, 411 and 414 of the Indian Penal Code.

As per the prosecution case, on 11.05.2021, while the informant was going from Purnea to Patna by Kosi Express Train, her trolley bag containing gold ornaments and other valuable articles was stolen.

It has been submitted on behalf of the petitioner that the F.I.R. has been instituted against unknown person and



the name of the petitioner has transpired on the confessional statement of co-accused, namely, Ranjeet Kumar Yadav. It is further submitted that nothing has been recovered from the possession of this petitioner and so far seizure list is concerned, bare perusal of the same, it appears that the recovery has been made from an abandoned road. Apart from the aforesaid fact, he submits that the petitioner is having clean antecedent and he is in custody since 14.06.2021. It is next submitted that the investigation has been concluded and the charge-sheet has already been submitted.

On the other hand, learned APP for the State opposes the bail application of this petitioner.

Having considered the submissions made on behalf of the parties and taking into consideration this fact that the name of the petitioner transpired in confessional statement of co-accused and nothing has been recovered from the possession of this petitioner. Apart from the fact that he has clean antecedent and is in custody since 14.06.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Khagaria in connection with Saharsa Rail P. S. Case



No. 09 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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