

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54924 of 2022**

Arising Out of PS. Case No.-42 Year-2022 Thana- MOKAMA RAIL P.S. District- Patna

Rahul Kumar Son of Shri Raj Karan Saw Resident of Village - Rasalpur Ward
No.- 1, P.S.- Karay Parshurai, District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party : Mr. Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioner undertakes to re-
move all the defects as pointed out by the Stamp Reporter
within two weeks.

Heard learned counsel for the petitioner and Mr. Md.
Matloob Rab, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with G.R.P. Mokama P.S. Case No. 42 of 2022
dated 16.05.2022 registered for the offences punishable under
Section 379 of the Indian Penal Code. However, the charge-
sheet has been submitted under Section 379 and 411 of the In-
dian Penal Code. He is in custody since 14.06.2022. He has no
criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, the informant namely Firoz Akhatar al-



leged that on 25.03.2022 he boarded Train No. 13006 Amritsar-Howrah Mail (Down) from Patna Sahib Railway Station. On 26th March, 2022 in the night his Samsung Mobile Phone worth Rs. 25,000/- with two SIM cards were stolen by an unknown person at Mokama Railway Station. He informed the matter to on duty RPF staff in train leading to the present FIR.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is in custody since 14.06.2022 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the nature of the allegations and fact that there is no criminal antecedent of the petitioner, he has already remained in custody since 14.06.2022 and investigation against him is complete as also his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Railway Magistrate, Patna Junction, Patna in connection with G.R.P., Mokama P.S. Case No. 42 of 2022, subject to the condition as laid down un-



der Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

The application stands allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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