

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14569 of 2023

Arising Out of PS. Case No.-295 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

RAJENDRA SINGH S/O LATE BAJARANGI SINGH R/o- Chhatihar, P.S.-
Konch, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
11.08.2022 in connection with Rail Gaya P.S. Case No. 295 of
2022, F.I.R. dated 12.07.2022 for the offences punishable under
Sections 379 of the Indian Penal Code and Sections 411 and 414
of the Indian Penal Code were added.

According to the prosecution case, as per written
report of the informant namely, Pushpa Devi in brief, is that on
03.07.2022 she was traveling through Dhanbad Dehri Intercity
Express and as soon as the train stopped at Gaya Junction five-
six miscreants sat near her bag and when train reached Guraru
Railway Station they stepped down in the meanwhile she
noticed that certain ornaments from her bag were missing. It
was further alleged that she identified one miscreant whose



hand amputated was also present with other miscreants.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case on the basis of previous criminal antecedents of the petitioner. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession or the house of the petitioner and petitioner has no concern at all with the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 11.08.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries fifteen criminal antecedents other than the present one and the petitioner is on bail in all the cases.

Considering the aforesaid facts and circumstances, nothing has been recovered from the conscious possession of the petitioner and petitioner has no concern at the with the alleged occurrence, 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 Rail Gaya P.S. Case No. 295 of 2022, subject to the



following conditions:-

1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. 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.

(Rajesh Kumar Verma, J)

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