

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20247 of 2023

Arising Out of PS. Case No.-366 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

Sugan Kumar @ Sugan Ravidas, aged about 20 years, Male, Son of Girija Ravidas @ Girja Ravidas Resident of Village - Raghunathpur, Milki, P.S.- Sitamarhi, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Gaya Rail P.S. Case No. 366 of 2022 dated 10.09.2022, instituted for the offences punishable under Section 394 of the Indian Penal Code.

3. The prosecution case, in short, is that on 10.09.2022, the informant was traveling from Patna to Ranchi by train and on the way, when train started from Gaya Junction, one unknown miscreant pushed him near the gate due to which his mobile phone fell from his hand when he got down to take back his mobile phone, another miscreant pushed him again due to which, his right leg got under train and toes of right leg got cut. Thereafter, both the miscreants ran away by taking his mobile phone.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. and only on the basis of confessional statement of co-accused, Shiva Kumar, the petitioner's name has transpired in this case. Learned counsel submitted that the looted mobile was recovered from the house of the petitioner which was being used by his cousin, Manoj Kumar having Mobile No. 9875102798 which was in his name. Lastly, it has been submitted that the petitioner is in custody since 17.10.2022 having no criminal antecedents and charge-sheet has been submitted in the case.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds 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 Gaya Rail P.S. Case No. 366 of 2022.

(Khatim Reza, J)

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