

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22941 of 2023

Arising Out of PS. Case No.-346 Year-2022 Thana- KATIHAR GRP CASE District- Katihar

MD. SONU @ MD. SONU ANSARI @ SONU ANSARI SON OF MD.
JAFAR @ MD. JAFAR ANSARI RESIDENT OF - DRIVER TOLA, WARD
NO. 15, P.S. - NAGAR, DISTT. - KATIHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Katihar Rail P.S. Case No. 346 of 2022 registered for the
offences punishable under Section 414 of the Indian Penal Code
and Sections 137, 147 of Indian Railway Act.

As per prosecution case, petitioner is said to have
apprehended by GRP when he was fleeing away by seeing GRP
and when search was made one screen touch mobile of ITTEL
company was recovered from the possession of the petitioner.
Petitioner disclosed that said mobile is stolen property.

Learned counsel for the petitioner submits that
petitioner is in custody since 06.12.2022 and bears criminal



antecedent of seven cases which have been registered under Section 379 of the IPC and petitioner is on bail in all the cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that no one has come forward to claim the recovered mobile and the said mobile has also not been put on TIP.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Katihar in connection with Katihar Rail P.S. Case No. 346 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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