

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33426 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- GAYA RAIL P.S. District- Gaya

CHHOTU PASWAN @ RAHUL, S/o Late Sanjay Paswan, Resident of
village-Bageshwari Gumti Bam Baba, P.S.-Delha, 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.Kanhaiya Kishore (APP)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Gaya Rail P.S. Case No. 42 of 2023, lodged on 12.02.2023
under Sections 414 of the Indian Penal Code.

3. As per the prosecution case, the theft of a mobile
phone of a passenger who was travelling on a train was
committed. Subsequently, the alleged mobile phone was
recovered from the accused petitioner.

4. Learned counsel for the petitioner submits that
from the FIR and seizure list, it is transpired that the said mobile
phone which was subject to theft has admittedly been recovered
from the possession of the petitioner. He further submits that the
FIR has been lodged under Section 414 of the Indian Penal



Code which is triable by a Magistrate. Apart from the present case, two more criminal cases are pending against the petitioner and in both the cases, he is on bail and he is in custody since 12.02.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Railway Magistrate, Gaya in connection with Gaya Rail P.S. Case No. 42 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J)

Ashwini/-

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