

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57137 of 2022

Arising Out of PS. Case No.-394 Year-2022 Thana- PATNA GRP CASE District- Patna

MD. GULFAN S/O MD. AKHTAR Resident of Village- Patna City Karkat
Kha Akhara, Ward No- 7, P.S.- Khajekalan, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection
with Rail G.R.P. Patna PS case no. 394 of 2022 instituted for
the offences punishable under Sections 379, 411 of the Indian
Penal Code.

The allegation, according to the informant, is
that while the informant was sitting on Platform no. 4 at
Patna Junction on 13.07.2022 and was waiting for the train to
arrive, two persons had taken out his mobile phone and when
they were trying to flee away, on alarm being raised, one of
them was caught and from his possession, one mobile phone
was recovered.



The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 14.07.2022. The learned counsel for the petitioner has further submitted by referring to Annexure-2 to the present petition that the petitioner is mentally derailed person and has got nothing to do with the alleged occurrence.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account materials available on record as also considering the period of incarceration of the petitioner apart from the fact that he is having a clean antecedent, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Railway



Magistrate, Patna in connection with Rail G.R.P. Patna PS
case no. 394 of 2022.

(Mohit Kumar Shah, J)

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