

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69171 of 2022**

Arising Out of PS. Case No.-39 Year-2022 Thana- ARA RAIL P.S. District- Bhojpur

Sekh Ganauri S/O Shekh Kitawali R/O Village- Maharajpur, P.S.- Tajhari,
Distt- Sahebganj, State- Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 04-01-2023 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with ARA Rail P.S. Case No. 39 of 2022 registered for the offences punishable under Sections 379, 411, 414 and 34 of the Indian Penal Code.

As per the prosecution, the police party apprehended two accused persons and from their possession, stolen mobile phones were recovered and on their disclosure house of co-



accused Ramesh Kumar Gupta was searched from where this petitioner from whose possession four mobile phones were recovered and some other co-accused persons were apprehended.

The main submissions advanced by the learned counsel Mr. Raju Kumar Singh appearing for the petitioner are that this petitioner earlier preferred Cr. Misc No32226 of 2022 for the relief of regular bail which was rejected by this Court and prayer of co-accused Sagar Kumar Ravidas was also rejected in that order who made his prayer with this petitioner and the said co-accused has been granted bail in his second prayer preferred by him vide order passed in Cr. Misc No.63805 of 2022 and after rejection of earlier prayer of petitioner the Trial Court has framed charges upon the petitioner and petitioner has clean antecedent and has been languishing in jail since 07.03.2022 and the instant matter relates to the recovery of stolen mobile phones.

Learned APP Mr. Uday Pratap Singh appearing for the State has opposed the bail prayer.

Considering the above submissions and mainly taking into account the custody period of the petitioner and also the fact that one similarly situated co-accused Sagar Kumar



Ravidas is on bail and the petitioner is facing trial which is at initial stage and it may take some time to be concluded, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner 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 concerned Court in connection with ARA Rail P.S. Case No. 39 of 2022.

(Shailendra Singh, J.)

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