

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81412 of 2023

Arising Out of PS. Case No.-176 Year-2023 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

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Mukesh Sah S/O Mohan Sah Village- Najirpur Chandchaur, Ward No. 04, Po
And Ps. Ujiyarpur, Dist.Samastipur, State Bihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhigyan Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under section 379
of the Indian Penal Code.

3. As per FIR, the allegation against the unknown
miscreants they stole away his bag on Samastipur Station in
which four golden ring, two wedding necklace, ten thousand
rupees and a Samsung mobile was kept.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
present case merely on the basis of suspicion. The petitioner is
not named in the FIR and he has no concern with the alleged



occurrence. Nothing incriminating article has been recovered from the conscious possession of the petitioner rather one mobile has been recovered from almirah of the petitioner. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 20.09.2023. This case is triable by Judicial Magistrate.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Samstipur Rail GRP/SPJ Case No. 176 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, Railway Samastipur.

(Sunil Kumar Panwar, J)

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