

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24679 of 2024

Arising Out of PS. Case No.-39 Year-2022 Thana- SUGAULI RAIL P.S. District- West
Champaran

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Pappu Goswami Son Of Binda Goswami Resident Of Village- Ghodasahan,
Mitra Chowk, Ps- Ghodasahan, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Ram Sumiran Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 10-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sugauli GRPS (Bettiah Rail PP) P.S. Case No. 39/2022 lodged
on 19.07.2022 under Sections 401/414/34 of the Indian Penal
Code.

3. As per the prosecution case, the FIR has been
lodged against seven named accused persons, including the
present petitioner. It is alleged that from the possession of the
accused persons series of mobile phones of different companies
have been recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further



submits that total 33 mobile phones have alleged to be recovered from the possession of the petitioner. He further submits that for the said theft which has been taken place at Silwasa police has lodged Silwasa P.S. Case No. 214/2022 and Silwasa P.S. Case No. 215 of 2022. In both the cases, the petitioner is on bail, but in the meantime, his name has figured in the present case also. The petitioner is in custody since 19.07.2023 and is accused in six more criminal cases. He further submits that other similarly situated accused persons have been granted bail vide Annexure -P2 series.

5. Learned counsel for the State opposes the prayer for bail.

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 Railway Judicial Magistrate, Bettiah, West Champaran/Successor Court, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. The learned court below shall release the petitioner on bail only after framing of charge, if not framed as well as on being satisfied that the petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as under :-

(i) Ghodasahan P.S. Case No. 33/1999.

(ii) Chhauradano P.S. Case No. 102/1999.

(iii) Chhauradano P.S. Case No. 98/1998.

(iv) Sadar Shimla P.S. Case No. 37/2012



(v) Dadar Nagar Haweli Silwasa P.S. Case No.
214/2022

(vi) Dadar Nagar Haweli Silwasa P.S. Case No.
215/2022.

(Dr. Anshuman, J)

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