

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39164 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- MUZZFARPUR GRP CASE District-
Muzaffarpur

MD. RAISH SON OF MD. DULARE @ MOHAMMAD DULAREY
RESIDENT OF VILLAGE - MARWAN, P.S. - KARJA, DISTRICT -
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Muzaffarpur Rail P.S. Case No. 275 of 2023 lodged on
14.08.2023 under Section 304, 379, 356 of the Indian Penal
Code.

3. As per the prosecution case, F.I.R. has been lodged
against unknown accused persons against whom there is an
allegation that the accused persons has snatched the mobile
from the passenger and in order to save his mobile phone, he
fell down from the train and died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that that the name of the petitioner has been figured
in this case only by virtue of information provided by the spy.
He submits that nothing incriminating has been recovered from



his possession neither he was put on T.I.P. Counsel further submits that the criminal antecedent of the petitioner is not clean and there is one case pending against him in which he is on bail. The petitioner is in custody since 18.08.2023.

5. Learned APP for the State opposes the prayer for bail and submits that it is true that name of the petitioner has been figured in this case by the virtue of the statement made by the spy but on the other hand, it is also true that from the confessional statement of the petitioner, name of one accused namely Asmith Raj has been figured and from the statement of the Asmith Raj, the snatched mobile has been recovered from one Mr. Afzal who has also made confession and disclosed the name of all the three accused.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner.

7. However, petitioner is at liberty to renew his prayer for bail after framing of charge.

(Dr. Anshuman, J)

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