

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49784 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- GAYA RAIL P.S. District- Gaya

Azhar Hussain Son of Adil Hussain R/O New Karimganj Road No. 3, Near
Railway Line, P.s.- Civil Line, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Gaya
Rail P.S. Case No. 51 of 2024 dated 02.04.2024, instituted for
the offence punishable under Sections 392 and 414 of the Indian
Penal Code.

3. The prosecution case, in brief, is that on
02.04.2024, the informant was travelling from Dehri-On-Sone
to Gaya from train No. 18639 Ara Ranchi Express and during
crossing the Karimganj bridge he was standing on the gate at
about 02:10 pm, suddenly one unknown boy attack on his leg,
he fell down from the train and became injured and then one
mobile of Oppo Company was snatched from the pocket of the
informant and the miscreants then fled away. The informant



reached police station then he was taken to the J.P.N. Hospital, Gaya for treatment and after treatment he submitted his written report.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that FIR has been lodged against unknown person. It is further submitted that the petitioner was not arrested at the spot and nothing has been recovered from the possession of the petitioner. It is further stated that no T.I.P. has been conducted till now. Lastly, it has been submitted that the petitioner is in custody since 03.04.2024, he has two criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. vehemently opposed the prayer for bail of the petitioner and submitted that petitioner has been arrested during course of investigation and stolen mobile bearing SIM No. 866132061472928 was recovered from the pocket of the petitioner. It is also submitted that petitioner was identified by the informant.

6. Since the stolen mobile has been recovered from the possession of the petitioner, I am not inclined to grant bail to the petitioner.



7. Accordingly, the bail application of the petitioner
is hereby rejected.

(Khatim Reza, J)

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