

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48187 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

Chandan Kumar S/O Ram Balak Yadav Resident of Village- Sedukha, P.S-
Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Samastipur (Rail) P.S.
Case No. 50 of 2024, instituted for the offences punishable
under Section 379 of the Indian Penal Code.

3. The prosecution case, in short, is that, one unknown
person came and sat on the seat of informant in train, took away
her hand purse containing mobile phone, ATM card, etc. and
jumped from the train.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner further submitted that the petitioner was not arrested on spot. There is recovery of stolen mobile from the petitioner which was bought from a person as a second hand phone and the petitioner had no knowledge regarding the phone that the same was a stolen one. No T.I parade has been conducted in this case. The petitioner is in custody since 03.05.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Samastipur (Rail) P.S. Case No. 50 of 2024.

(Rudra Prakash Mishra, J)

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