

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56214 of 2024

Arising Out of PS. Case No.-320 Year-2023 Thana- BARAUNI RAIL P.S. District- Begusarai

MD. SADDAM S/O MD. MUNNA R/O VILLAGE- PHULWARIYA-2,
POKHAR MOHALLA, P.S- PHULWARIYA, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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

ORAL ORDER

3 04-10-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Barauni
Rail P.S. Case No. 320 of 2023 instituted for the offences under
Section 394 of the Indian Penal Code.

3. Prosecution case, in short, is that when the
petitioner was travelling by train, one person snatched his
mobile phone and fled away. The informant chased the
miscreant and caught him but his two-three other associates also
came there and started assaulting the informant. It is further
alleged that the miscreants also snatched other belongings of the
informant.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Md. Kaiyum. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted articles. The co-accused person has already been granted bail by this Bench vide order dated 21.08.2024 passed in Cr. Misc. No. 57303 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.05.2024 and has four criminal antecedents.

5. Learned A.P.P. 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, claim based on parity as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barauni Rail P.S.



Case No. 320 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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