

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70115 of 2024

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

=====

Saurav Kumar, S/O Sanjay Paswan @ Sanjary Kumar Pasavan Resident of
Mohalla- Bibiganj Govindpuri, P.S- Sadar, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S. Tr. No. 937 of 2023 arising out of Rail P.S. Case No. 275 of
2023 lodged on 14.08.2023 under Sections 304, 379, 356, 411,
34 of the Indian Penal Code and subsequently section 411 of the
I.P.C. was also added.

3. As per the prosecution case, in course of travelling
in a running train, an unknown thief wanted to snatch the mobile
phone from the hand of the nephew (bhanja) of the informant
and in that course, his nephew fell from the train and died after
getting hit by the train.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner is not named in the F.I.R. rather his name has figured in this case on the basis of confessional statement of Md. Rais who has been granted bail by a co-ordinate Bench of this Court vide order dated 07.08.2024 passed in Criminal Miscellaneous No. 55526 of 2024. The petitioner is in custody since 18.08.2023 and the charge has already been framed in this case. The antecedent of the petitioner is clean.

5. Learned counsel for the State opposes the prayer for bail and submits that it is true that the petitioner is not named in the F.I.R. but it is also true that the said snatched mobile phone has been recovered from one of the co-accused Md. Afjal and he has disclosed the name of the petitioner.

6. In the present facts and circumstances of this case and considering that the charge has already been framed in this case and the case is running for trial, 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 learned Additional District and Sessions Judge-V, Muzaffarpur, in connection with S. Tr. No. 937 of 2023 arising out of Rail P.S. Case No. 275 of 2023,



subject to the conditions as laid down under Section 437(3) of
the Code of Criminal Procedure

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

