

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67699 of 2023

Arising Out of PS. Case No.-4 Year-2021 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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Ram Babu Yadav, S/O Kaushlendra Yadav, R/O Vill-Alipur, Ps-Hilsa, Dist-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shadab Akhter, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Bakhtiyarpur Rail (Fatuha) P.S. Case No. 04 of 2021, registered on 03.01.2021 for the offences under Section 379 of the Indian Penal Code.

3. As per prosecution case, purse of the informant was stolen by unknown miscreants and the said purse contained one mobile phone, two chargers, some food items and id-cards. The sim card issued in the name of the petitioner was found to be used in the stolen mobile.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is a labourer and no recovery of any incriminating



article has been made from his conscious possession. Petitioner is not even aware about the issuance of any sim card in his name and the said sim card must have been taken on his name by some other person without his knowledge. Two sim cards were found being used in stolen mobile phone and one sim card was in the name of Rina Devi but she also had no idea about the issuance of sim card. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the possibility of false accusation in the background of facts of the case, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Patna/court concerned in connection with Bakhtiyarpur Rail (Fatuha) P.S. Case No. 04 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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