

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.516 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- BHABHUA RAIL P.S. District- Gaya

Ajit Kumar @ Ajit Kumar Agrahari S/O Murari Prasad @ Murari Prasad
Agrahari R/O Village -Saiyadraja Ambedkar Nagar Ward No. 1, P.S.-
Saiyadraja, District-Chandauli, (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh,Adv.

For the Opposite Party/s : Mr.Ajay Kr. Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Rail Bhabhua Road P.S. Case No. 02 of 2024, registered for the offences under Sections 303(2), 317(2) and 317(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the petitioner took away the mobile phone of the informant from his pocket while the informant has been sleeping near the platform. The petitioner was apprehended on suspicion of the informant and recovery of the mobile phone of the informant was made from the petitioner.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implication in this case. It is not believable that after stealing the mobile, the petitioner would be loitering in the area and allow himself to be apprehended by the police and the informant. The prosecution story does not appear to be believable. In fact, the petitioner entered into some altercation with the informant who is a railway employee and the petitioner was taken to the police with a fictitious story of stealing the mobile and this false case has been instituted. The petitioner is having clean antecedent. The petitioner is in custody since 31.08.2024 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner along with his period of custody and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Rail, Gaya/concerned court, in connection with Rail Bhabhua Road P.S. Case No. 02 of 2024, subject to the condition laid



down under Section 437(3) 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.

(iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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