

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11294 of 2025

Arising Out of PS. Case No.-127 Year-2024 Thana- SONPUR RAIL P.S. District- Saran

Rupesh Kumar Son of Raj Kumar Paswan Resident of Village - Bagh Raj
Mansingh, New Naulakha Mandir, Ward No.-20, P.S. - Hariharnath, District –
Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sonpur Rail P.S. Case No. 127 of 2024 registered for the alleged offences under Sections 304(2), 109 of the Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, unknown thief snatched the mobile of brother of the informant who was travelling in a train. The brother of the informant jumped from the running train in order to catch the thief but the thief fled away and the brother of the informant received injuries. It is further alleged that the thief also took away Rs. 25,000/- cash, Aadhar Card, Pan Card, ATM Card etc. The name of petitioner transpired



during investigation for being involved in the said occurrence.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was named in this case on the basis of confessional statement of co-accused from whose possession the stolen mobile phone was recovered. Nothing incriminating has been recovered from the person or possession of this petitioner. The petitioner is in custody since 20.09.2024 and charge-sheet has been submitted. The petitioner is having antecedent of two cases and he is on bail in those case.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Additional Chief Judicial Magistrate, Railway, Sonapur in connection with Sonapur Rail P.S. Case No. 127 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the 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.
- (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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