

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25607 of 2025

Arising Out of PS. Case No.-79 Year-2023 Thana- SUGAULI RAIL P.S. District- West
Champaran

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Shaukat Ali @ Jhuna @ Jhunna Alam S/o- Junab Ali Village- Naya Tola
Sugauli Ps- Sugauli Dist- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with Sugauli

Rail P.S. Case No. 79 of 2023 registered for the offences

under Sections 379, 307, 337, 338 of the Indian Penal Code.

3. The petitioner is not named in the First

Information Report and is in custody since 27.12.2023.

4. Allegation against the petitioner is to snatch the

mobile phone of the daughter of the informant, where, upon

chasing, she was fallen from running train and received

injury, as a result of which she died subsequently during

hospitalization.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that upon raid, 10 mobile phones were recovered from the cottage of one Jabrej Alam, and as this petitioner was standing near to that Hut, he was apprehended by police assuming that he is the owner of that Hut.

6. It is submitted that out of 10 recovered mobile phones, none of the mobile phone was of the deceased daughter of the informant, which may connect this petitioner *prima facie* with the present crime in question.

7. It is submitted that as per FIR, the mobile of the deceased daughter of the informant was of Infinix company, whereas from the seizure list, none of the recovered mobile was of the said company.

8. While concluding argument, it is submitted that investigation of this case is already completed, and as such, there is no chance of tampering with the evidence.

9. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

10. In view of the aforesaid factual submissions as mentioned above and by taking note of the fact as seizure list creates *prima facie* doubt *qua* recovery of mobile phones of



the daughter of the informant, which was of Infinix company, as to connect the petitioner *prima facie* with the present occurrence, coupled with the fact that petitioner is in custody since 27.12.2023, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Sugauli Rail P.S. Case No. 79 of 2023, subject to the condition as laid down under Section 437 (3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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