

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33224 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

Vikash Kumar S/O Dinesh Ray, R/o Village- Dubarbanna, P.S.- Warisnagar,
Dist.- Samastipur. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner apprehending his

arrest in connection with Samastipur Rail P.S. Case No. 246

of 2024, registered for the offences punishable under Section

303(2) of Bhartiya Nayay Sanhita 2023.

3. As per FIR, mobile of the informant was

snatched on 20.10.2024, while travelling in a train, namely

Ganga Sagar Express.

4. It is submitted by learned counsel appearing for



the petitioner that the name of petitioner transpired during the course of investigation out of confessional statement of apprehended co-accused, namely Devanand Kumar. It is submitted that even the description of the mobile which was seized from apprehended co-accused not the same as disclosed by informant while lodging FIR and, therefore, it can be safely said that petitioner falsely implicated with this case. Petitioner claims clean antecedent.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as description of stolen mobile *prima facie* not appears the same as purchased by apprehended co-accused creates a doubt qua entire allegation, coupled with fact petitioner is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate



(Railway), Samastipur/concerned Court, where the case is pending in connection with Samastipur Rail P.S. Case No. 246 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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