

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21765 of 2015

Arising Out of PS.Case No. -3 Year- 2014 Thana -RAIL District- LAKHISARAI

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1. Ram Babu Sah Son of Late Mahadeo Sah R/o Village - Gulzar Pokhar, (Near Nilam Cinema Road Munger), P.S. Kotwali, District - Munger

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jainendra Kumar

For the Opposite Party : Mr. Satyendra Nr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 09-07-2015

Heard both sides.

Petitioner apprehends his arrest in connection with R.P.F. Jamalpur work sop case no. 3 of 2014 registered under Sections 3 R.P. (U.P.)Act.

He is not named in the FIR. The go-down/shop of the co-accused Uday Poddar was searched wherefrom certain articles of the railways were recovered. In the confessional statement Uday Poddar named the petitioner and others.

Contention of the petitioner is that he has no criminal antecedent. Except the confessional statement of co-accused there is no recovery. Referring to order dated 20.1.2015 (Annexure-3) it has been submitted that another co-accused Pal Kumar Yadav having similar/identical allegations has since been released on anticipatory bail.

Regard being had to the above, I am persuaded to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, 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 the learned Railway Judicial Magistrate, Kiul in connection with R.P.F. Jamalpur Work Shop Case No. 3 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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