

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52360 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -SAMASTIPUR GRP CASE District-SAMASTIPUR

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1. Dilip Sah Son of Musai Sah resident of Bahadurpur, ward no. 27, P.S. Samastipur, District Samastipur. Permanent resident of Raghunathpur, Jorwan, P.S. Sabradhovi, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranaya Shanker Sinha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 02.08.2016 in connection with R.P.F., Post Samastipur P. S. Case No. 04 of 2016 registered for the offence punishable under Section 3 R.P. (U.P.) Act.

The prosecution case is that R.P.F. personnel on secret information found one Ranjeet Paswan, who was removing the batteries belonging to Railway and on apprehension the said accused divulged the name of the petitioner and others. As per the seizure list, 48 batteries of different companies was seized.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case.

It has further been submitted that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence. It is also submitted that on similar allegation another co-accused has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. no. 40145 of 2016 on 20.09.2016.

However, learned A.P.P. for the State submits that the petitioner has two more cases, pending against him and hence, opposes the prayer for bail.

Be that as it may, since charge sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Samastipur in connection with R.P.F., Post, Samastipur P. S. Case No. 04 of 2016 with a condition that one of the bailors would be a close relative of the petitioner and the other bailor would have sufficient immovable property within the jurisdiction of the concerned police station and the petitioner is directed to appear before the learned Court below on each and every date and failure to appear



before the Court below on two consecutive dates without
assigning any reason will entail cancellation of his bail bond

(Nilu Agrawal, J)

Sudha/-

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