

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46811 of 2015

Arising Out of PS.Case No. -3 Year- 2015 Thana -PATNA GRP CASE District- PATNA

Ajay Kumar, Son of Kapil Yadav, Resident of Nishibuchak, P.S.- Fatwah,
District -Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra, Advocate.

For the Opposite Party/s : Mr. Dasrath Mehta (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 19-01-2016 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with R.P.F. Post Fathuwa P.S. Case No.3 of 2015 for allegedly having committed the offence under Section 3 of R.P. (U.P.) Act.

The petitioner is a Labourer in the Railway Ward at Fathuwa. It is alleged that the petitioner was trying to run away with one bag of onion, which on inquiry from the petitioner could not be satisfactorily explained by him as he was not possessing any paper regarding the same.

Learned counsel for the petitioner submits that as per the seizure list, the alleged recovery of the bag of onion

was not from his conscious possession, rather it was from the bush located near Platform No.6 of Fathuwa Railway Station.

Considering the nature of allegations made and that another case of similar nature has been lodged with regard to the same fact against him, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Patna Junction, Patna, in connection with R.P.F. Post Fathuwa P.S. Case No.3 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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