

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42136 of 2016

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

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Ajay Kumar Ojha @ Ajay Ojha S/o Braj Raj Ojha, Resident of Village-
Sirsia, P.S.- Kataiya, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gopal Shankar, Advocate
Mr. Anirudh Kumar Sinha, Advocate

For the Opposite Party : Mr. Surendra Prasad Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-10-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Muzaffarpur/RPF/ Case No. 04 of 2016 registered for the
offence punishable under Section 3 RP(UP) Act.

Learned counsel for the petitioner submits that the goods
in question were not unloaded by the petitioner but due to certain
unscrupulous railway authorities, he has been falsely implicated in
this case. The petitioner is a railway contractor and the entire
allegation has been saddled on his shoulder. It is submitted that
actually it was the mistake of fact of the railway authorities that the
goods was unloaded at Muzaffarpur instead of Chapra and now
only to cover up the laches, they have shifted the burden on the

petitioner.

Having heard the learned counsel for the petitioner and counsel for the State and considering the nature of allegations made and because there is no recovery from his conscious possession but from the platform, 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 enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Sonapur (Chappra) in connection with Muzaffarpur/RPF/ Case No. 04 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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