

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37790 of 2016

Arising Out of PS.Case No. -179 Year- 2016 Thana -GAYA GRP CASE District- GAYA

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Deepak Singh, son of Gurumukh Singh, resident of village Azma, P.S. Nauwatpur, District Patna, presently residing at Gurdwara, Patnacity, P.S. City Chowk, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar Pandey

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioner and the learned counsel representing the State.

The petitioner seeks bail in connection with Rail Gaya P.S Case No. 179 of 2016 registered for the offences punishable under Section 47(A) of the Excise Act and section 137 of Railway Act.

Allegedly, when the petitioner was trying to run away, he was caught and from the bag which was kept on the carrier of the seat, foreign liquor as per seizure list, was recovered and the petitioner was not having any Railway ticket or pass.

Submission is of false implication and that nothing has been recovered from conscious possession of the petitioner, his signature has been obtained forcibly on a plain paper which has been converted into alleged seizure list. The petitioner has got

no concern with those articles, in the F.I.R., it is alleged that bags were in abandoned condition but as the petitioner was apprehended, as he was not having Railway ticket, he has been implicated regarding those recovery also, resulting, the petitioner is suffering in custody since 16.07.2016 having no criminal antecedent, and as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail

In the facts and circumstances stated above, considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Railway Magistrate, Gaya, arising out of Rail Gaya P.S. Case No. 179 of 2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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