

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44316 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -KHAGARIA GRP CASE District- KHAGARIA

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1. Pramod Mandal son of Ganouri Mandal.
 2. Prakash Mandal son of Late Bishnudeo Mandal. Both are resident of Village- Bihpur Bamkali Asthan, P.S.- Bihpur, District- Bhagalpur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Praveen Kumar Agrawal

For the Opposite Party : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-10-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in a case instituted under
Sections 3 R.P.(U.P.) Act.

It has been alleged that the guard of Capital Express
Train no. 13247 Up informed with regard to theft of railway
property between Bihpur and Narayanpur railway station and on
this information, the informant along with R.P.F. personnel
searched the railway track and recovered 13 bundles of Rubber
meant for tyre resoling with railway mark over the same.

It has been submitted on behalf of the petitioners that
the petitioners are in custody since 04.08.2016. The petitioners
have got no criminal antecedent. There is no allegation of

tampering of witnesses alleged against the petitioners. From perusal of the seizure list, it is evident that no railway property is said to have been recovered from the possession of the petitioners. Hence, no offence is made out against the petitioners under the R.P. (U.P.) Act.

On behalf of the state, it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-Railway, Khagaria, in connection with Naugachhiya (R.P.F.) P.S. Case No. 02 of 2016.

(Sudhir Singh, J.)

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