

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35793 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -KHAGARIA GRP CASE District- KHAGARIA

=====

1. Chandan Kumar Singh @ Banti Singh son of Braj Kishore Singh @ Munna Singh, resident of Village- Station Road Semapur Ward No. 18, P.S.- Barari (Semapur), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-12-2016 Supplementary affidavit has been filed on behalf of the petitioner. The same be kept on the record.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 3 of R.P. U.P. Act, 2012.

The prosecution case, in brief, is that during course of patrolling the informant along with R.P.F. personnel found that five persons have cut away and loaded Seesam tree of railway on a tractor and were about to go, upon which the informant raised alarm and chased them but they managed to escape, out of whom the petitioner was identified by the informant.

It has been submitted on behalf of the petitioner that



there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner has a market by the side of the alleged place of occurrence and hence he has been made accused due to mistake of fact. No railway property is said to have been recovered from the conscious possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Naugachia R.P.F. P.S. case No.01 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

