

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10743 of 2017

Arising Out of PS.Case No. -8 Year- 2015 Thana -MOKAMA RPF/POST District- PATNA

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1. Dhiraj Kumar @ Dhiraj Ku. Son of Late Krishna Prasad
 2. Dharmendra Kumar @ Dharmendra Ku, son of Jugal Chaudhary Both petitioners are Resident of Village- Barki Jamunichak, Police Station-Barh, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

- 2 29-03-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor, for the State.

The petitioners are languishing in judicial custody since 14.05.2016 in connection with RPF Mokama P.S. Case No. 08 of 2015 for offence alleged under Section 3 R.P.(U.P.) Act.

The prosecution case, as alleged by the R.P.F. personnel is that 59 relays have been stolen from the relay hut within the railway station. During the course of investigation the name of the petitioners surfaced, who in their confessional statement have stated about the said theft and even the relays have been found, some in damaged condition.



It has been submitted by learned counsel for the petitioners that the petitioners are innocent and charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P., for the State, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Patna Junction in connection with R.P.F. Mokama P.S. Case No. 08/2015 subject to the condition that the petitioners will appear before the learned court below during the trial and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

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