

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36673 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -BEGUSARAI GRP CASE District-
BEGUSARAI

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1. Rudal Yadav Son of Bisho Yadav, R/o Village- Madhurapur, Bakhtar
Tola, P.S.- Teghra, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Smt. Indu Kumari Srivastava

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Barauni RPF
Case No. 01/2017 for offences punishable under Section 03RP
(UP) Act.

The prosecution case, as lodged by the police
personnel, is that on information that in train No. 17006
Darbhanga-Hydrabad Express SLR bogie is open and seal broken,
police constables started searching railway track and saw four
persons going with white plastic bag on their head in between
Barauni- Teghra station and when the miscreants saw the torch



light, they all fled away throwing the said bag which contained Makhana.

It has been submitted by the learned counsel for the petitioner that he is innocent, nothing has been recovered from his conscious possession and he has been falsely implicated in the said case just because he is involved in six more cases of similar nature. He submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and he is languishing in judicial custody since 20.04.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender and six more cases of similar nature are pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 Addl. Chief Judicial Magistrate, Railway, Barauni, Begusarai, in connection with Barauni RPF Case No. 01/17, subject to the condition that both the bailors would be close relatives of the petitioner having sufficient immovable property within the



jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioner and if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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