

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36580 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -DANAPUR RPF/POST District- PATNA

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1. Jai Parkash @ Jai Prakash Ram @ Jangali Son of Dilip Ram, R/o Village- Sari Dhela (Steelgate) Sugiya Dih, P.S.- Saraj Jhela, District- Dhanbad (Jharkhand). At present Near Nursing Home of Dr. Anita Singh, Ram Das path, Mithapur 'B' area, Gaya Line Road, P.S.- Jakkanpur, District- Patna-800001.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Rajendra Nath Jha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 21.04.2017 in connection with Danapur RPF/Post Case No. 01/2017 for offences punishable under Section 3 of the RP (UP) Act.

The prosecution case, as lodged by the informant, is that a theft was committed in the telecommunication department of the Railways, Danapur and goods worth Rs. 18,999.55/- and deprecated value being 11,399.73/- together with other items totaling Rs. 14,100.53/- has been stolen away.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history as another case bearing RPF Danapur Case No. 02/2017 has been lodged for the same offence of other items stolen in the Telecommunication Department of the Railways. He submits that he has already been granted privilege of bail in RPF Danapur Case No. 02/2017 in Cr. Misc. No. 36536/2017 today i.e. 19.08.2017 on similar allegations. He submits that his confessional statement and the confessional statement of the co-accused before the police has no evidentiary value in the eye of law. It is submitted that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

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, Ara, in connection with Danapur RPF/Post P.S. Case No. 01/2017, subject to the condition that both the bailors would be a close relative 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)

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