

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51419 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -BAKHTIYARPUR RPF/POST District- PATNA
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Rahul Kumar son of Kamta Prasad, resident of Maujipur Kripal Tola,
P.S.- Fatuha, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinod Pandey, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

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

2. The petitioner is in custody since 17.08.2017 in connection with R.P.F. Bakhtiyarpur Post P.S. Case No. 01 of 2017 for the offences alleged under Section 3 of the Railway Property (Unlawful Possession) Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and the first information report is against unknown persons. The name of the petitioner has transpired on the confessional statement of other accused Dharmendra Kumar and Chotu Kumar @ Prem Kumar, who have been granted bail by this Court in Cr. Misc. No. 44350 of 2017. Other co-accused Nitish Rai and Karu Saw @ Munna Saw have also been granted bail by this Court in Cr. Misc. No. 38134 of 2017 and Cr. Misc. No. 38134 of 2017 and Cr. Misc. No. 48574 of 2017, respectively. No recovery of any incriminating articles has been made from the possession of the petitioner.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-



(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Patna in connection with R.P.F. Bakhtiyarpur Post P.S. Case No. 01 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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