

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47274 of 2017

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

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Chandeshwar Prasad Yadav Son of Sri Deo Nandan Prasad At present R/o
Qr. No.11, ABC, Stadium Road, P.S.- East Colony, Jamalpur, P.O.-
Jamalpur, District- Munger, permanent Address- Village- Hilalpur, P.S.-
Biddupur, P.S.- Hajipur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karuna Nath Sahay

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner and the State.

Petitioner is apprehending arrest in connection with
R.P.F./Jamalpur (Work shop) Post Case No. 01 of 2017 registered
under section 3 and 4 of the RP(UP) Amendment Act, 2012.

Counsel for the petitioner submits that in fact
petitioner has brought to the notice of the authority concerned
including the Inspector, in-charge RPF/Jamalpur (Work shop)
regarding shortage of condemn wagon kept in Dhobighat, by way
of written report dated 9.4.2017. He submits that in the instant
case enquiry is still inconclusive as to who is accountable for
shortage of condemn wagon and without concluding the enquiry



the instant case has been registered against the petitioner and others.

The petitioner is an employee of the Railway and he is extending full cooperation in the enquiry pertaining to the shortage of scrape wagons in the workshop.

Counsel for the State submits that the petitioner is custodian of the workshop and as such prima-facie he is accountable for the shortage if any. However, he has not disputed the fact that enquiry as to the shortage and accountability of the person responsible for the shortage is still in the process and it is not completed as yet.

In view of the fact that petitioner himself has reported shortage of scrape on 9.4.2017 which is evident from Annexure-3 placed on record by way of supplementary affidavit and the fact that the petitioner undertakes to extend full cooperation in the matter of enquiry as well as investigation in the instant case, let the petitioner, named above, be released on bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Railway Judicial Magistrate, Kiul, Lakhisarai, in connection with



R.P.F./Jamalpur (Work shop) Post Case No. 01 of 2017, subject to
the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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