

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3474 of 2017

Arising Out of PS.Case No. -6 Year- 2016 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

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Shyam Kumar, Son of Sri Satto Sah, Resident of Village- Hakimabad
Nawada, P.S.- Samastipur Muffasil, District- Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhay Shankar Singh, Advocate

For the Opposite Party : Mr. Sunil Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with R.P.F.
Samastipur P.S Case No. 06 of 2016 registered for the offence
punishable under Section 3 of the R.P.(U.P.) Act, 1966.

Allegedly, petitioner was arrested when he was
pickings up the article from railway track and from his bag 04
pieces A.C.B. plate, 01 piece fish plate and 12 pieces pendrol clips
were recovered.

Submission is of false implication and that the
petitioner by remaining in custody since 15.10.2016 has been
sufficiently penalized, chargesheet has also been submitted and
there is no chance of tampering with prosecution evidence. The



petitioner has got no criminal antecedent and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. submits that railway property was recovered from possession of the petitioner.

In the facts and circumstances stated above, considering the detention of the petitioner and further there is no chance of tampering with the prosecution evidence and, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., (Railway), Samastipur, in connection with R.P.F. Samastipur P.S. Case No. 06 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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