

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38134 of 2017

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

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Nitish Rai, S/o Ram Bhajan Rai, Resident of Village – Madhopur, P.S.-
Bakhtiyarpur, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Niwas Jha, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 10-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in R.P.F. Bakhtiyarpur Post
Case No. 01 of 2017 registered under Section 3 of the R.P.F.
(U.P.) Act.

OHE wires are said to have been stolen by some
unknown miscreants causing interruption in the running of the
train and thereby huge loss to the Railways.

It is submitted by learned counsel for the petitioner
that the petitioner is not named in the F.I.R. Nothing incriminating
article has been recovered from his conscious physical possession.
His name has surfaced in this case merely on the basis of
confessional statement of the petitioner which has no evidentiary
value in the eye of law. Similarly situated co-accused, namely,



Gauri Shankar Prasad has been enlarged on bail by learned lower court. The petitioner has been languishing in custody since 23.05.2017.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate, Railway, Patna in connection with R.P.F. Bakhtiyarpur Post Case No. 01 of 2017

(Prakash Chandra Jaiswal, J)

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