

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.5624 of 2017**

Arising Out of PS.Case No. -3 Year- 2016 Thana -KHAGARIA GRP CASE District- KHAGARIA

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Ganouri Das, S/o Lakhi Das, resident of Village- Hathinodha Sindhuria Tola, P.S.- Bihariganj, District- Madhepura.

..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Chandra Bhushan Das, Advocate.

For the Opposite Party : Mr. Abhay Kumar Roy, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

**ORAL ORDER**

4      09-03-2017      Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Banmankhi R.P.F. P.S. Case No. 03 of 2016 for the offences instituted under Section 3 of R.P.(U.P.) Act, 1966.

The prosecution story, in brief, is that on 13.11.2016, the informant received confidential information that two persons are carrying iron of Railway on Rickshaw upon which he apprehended two co-accused persons, Chandan Kumar Paswan and Chandan Kumar and on disclosure made by them, the informant recovered and seized eleven and four Bearing Plates of railway from two different scrap shops of the petitioner to be used in Railway Line construction but the petitioner managed to escape.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. There is no recovery of any theft Railway property from conscious possession of the petitioner. The name of the petitioner has come on the basis of confessional statements of two co-accused persons.

On behalf of the State, it has been submitted that the petitioner is named in the prosecution report.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Banmankhi R.P.F. P.S. Case No. 03/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Railway, Khagaria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

