

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51507 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -BHAGALPUR RPF/POST District- BHAGALPUR
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Dharmendra Yadav son of late Narro Yadav, resident of Bishanpur
Jichho, P.S. Lodipur, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Ms. Sarita Bajaj,
Mr. Dharmendra Kumar Paswan, Advocates.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 30.07.2017 in connection with RPF Bhagalpur Post Case No. 02 of 2017 for the offences alleged under Sections 3(a) R.P. (U.P.) Amendment Act, 2012 and 147 of the Railways Act.

3. It is submitted that the petitioner has been falsely implicated in connection with three bags of *maize* valued at Rs. 1800/- being carried away in rickshaw by co-accused Md. Shamshad and Ram Jeevan Kumar Yadav. Petitioner's name has transpired on the confessional statement of co-accused Ram Jeevan Kumar Yadav and except such confessional statement, there is no other material to connect the petitioner with the alleged occurrence. The petitioner claims clean antecedents.

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 Rail,



Bhagalpur in connection with RPF Bhagalpur Post Case No. 02 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)

Md. Ibrarul/Chandran

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