

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11337 of 2018

Arising Out of PS. Case No.-8 Year-2017 Thana- SAMSTIPUR RPF/POST District-
Samastipur

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1. Ajay Das @ Ajay Kumar, Son of Rohit Das
2. Manjay Kumar, Son of Shri Pramod Das @ Pramod Kumar Das, Both
residents of village – Bahadurpur Ateran Chowk, Ward No. 5, Police Station –
Muffasil, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-04-2018 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Petitioners are languishing in judicial custody since
03.12.2017 in connection with RPF/ SPJ P.S. Case No. 8 of
2017 registered for the offence punishable under Section 3 of
the R.P. (U.P.) Act.

The prosecution case, as lodged by the police
personnel, is that petitioners were apprehended and on search
burnt copper wire of railway and some instrument like blade,
screw driver were recovered from their possession. Accordingly,
two seizure-lists were prepared.

It has been submitted by the learned counsel for the



petitioners that they are innocent, bear no criminal antecedent and nothing has been recovered from their possession and a false case has been instituted by the police officials. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioners.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioners, named above, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate (R), Samastipur in connection with RPF/ SPJ P.S. Case No. 8 of 2017.

(Nilu Agrawal, J.)

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