

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26040 of 2018

Arising Out of PS.Case No. -1 Year- 2018 Thana -SAHARSA RPF/POST District- KHAGARIA
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Chhotelal Choudhary, S/o Late Sahdeo Choudhary, R/o Village- Singhaul,
P.S.- Muffasil, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with R.P.F. Saharsa
Post Case No. 01 of 2018 for offences punishable under Section 3
R.P. (U.P.) Act.

The prosecution case, as lodged by the informant police
personnel employed at R.P.F., is that a tank lorry with diesel was
to be unloaded in Rail Depot, Saharsa but information was
received that 4673.04 liters of diesel was unloaded midway and
during unloading the said discrepancy of diesel amounting to Rs.
3,06,756/- was detected. The petitioner was the driver of the said
lorry. The petitioner confessed that it was on the instructions of
co-accused Lalbabu Sah, SSE/RCD/Saharsa that the diesel was



unloaded midway.

It has been submitted by the learned counsel for the petitioner that he is innocent, he was just a driver of the said vehicle, bears no criminal history and is languishing in judicial custody since more than two months.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Additional Chief Judicial Magistrate, Rail, Khagaria in connection with R.P.F. Saharsa Post Case No. 01 of 2018, subject to the condition that the petitioner will cooperate in the investigation and trial of the case, will not tamper with the prosecution evidence, failing which the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Nilu Agrawal, J)

Devendra/-

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