

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37961 of 2018

Arising Out of PS. Case No.-1 Year-2018 Thana- KHAGARIA RPF/POST District- Khagaria

1. Md. Sarfaraj @ Monu, S/o Md. Sajjad,
2. Md. Ibran S/o Md. Asyuv,
3. Md. Sonu S/o Late Yusuf,
4. Md. Monu S/o Md. Israil, All residents of Vill.- Islampur , P.S.-
Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s : Mr. Dr. Indiar Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioners and

the learned A.P.P. for the State.

Petitioners seek bail in connection with

Khagaria R.P.F. Case No. 01 of 2018 registered for the

offence punishable under Section 3 of the R.P. (U.P.)

Act.

The prosecution case, as lodged by the

informant, is that on information that some of the goods

are without seal and there is suspicion of theft, rail

police force reached the place of occurrence and found



the petitioners along with others loading four bags on an e-rickshaw. Petitioners were apprehended along with one Sujit Yadav and confessed the guilt before the police.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and have been falsely implicated in the aforesaid case. He submits that the confessional statement before the police has no evidentiary value in the eye of law and that the petitioners are ready to cooperate in the investigation and provide all necessary information.

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 completion of three months in custody 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, Rail, Khagaria in connection with Khagaria R.P.F. Case No. 01 of 2018,



subject to the condition that one of the bailors would be close relative of the petitioners having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioners.

(Nilu Agrawal, J.)

Arjun/Ragini

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