

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6605 of 2019

Arising Out of PS. Case No.-06 Year-2018 Thana- SASARAM RPF/POST District- Gaya

1. Rahul Kumar, aged about 23 years, Male, son of late Satyendra Bhagat, R/o village- Bank , P.S- Akorhi Gola, District- Rohtas.
2. Santosh Singh, aged about 35 years, Male, son of Amar Singh, R/o village- Madhurampur, P.S- Akorhi Gola, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-02-2019 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Sasaram R.P.F. Post P.S. Case No. 06 of 2018 registered for the offences punishable under Section 3 R.P.(U.P.) Act.

Allegation is recovery of 24 meter stolen cable wire kept in three bag from the possession of the petitioners. Petitioner no.1 is accused in one of the Excise case whereas petitioner no.2 has no criminal antecedent.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have been falsely implicated in this case. Nothing was



recovered from the physical or conscious possession of the petitioner. Petitioners are in custody since 23.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Special Railway, Gaya, in connection with Sasaram R.P.F. Post P.S. Case No. 06 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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