

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77631 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- JEHANABAD RAIL P.S. District- Patna

1. Tinkal Kumar @ Ledha @ Ledhu, S/o Mohan Saw @ Mohan Prasad Jaiswal, R/o Vill.- Purbi Unta, P.S. and District- Jehanabad.
2. Md. Ejaj Mian @ Md. Ejaz @ Md. Ajaj S/o Nizamuddin, R/o Vill.- Makhdumpur Dih, P.S.- Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Sri Bharat Bhushan (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 02-01-2019 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Rail Jehanabad, (G.R.P. Tarengna) P.S. Case No. 31 of 2018 registered for the offences punishable under Sections 401/34 of the Indian Penal Code and Section 147 of the Railway Act.

Allegation against petitioners are recovery of one blade, one bunch of key and Rs. 80/- from their possession.

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. Similarly placed co-accused has been granted bail by this court as contained in



Annexure-2. Petitioners are in custody since 09.05.2018.

Considering the aforesaid fact 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 A.C.J.M., Railway, Patna, in connection with Rail Jehanabad (G.R.P. Tarengna) P.S. Case No. 31 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 his 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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