

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37759 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- DEHRI ON SONE RPF/POST District-
Gaya

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1. Chandan Chaudhary, Male, aged about 20 years, Son of Late Ram Layak Chaudhary @ Ramlayak Singh
 2. Raj Kumar Chaudhary, Male, aged about 24 years, Son of Sudama Chaudhary
 3. Munna Chaudhary, age about 28 years, Male, Son of Late Jagdhar Chaudhary
All resident of Village- Sita Bigha, P.S.- Moffasil Sasaram, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Nand Kishore Prasad Sinha, Advocate
For the Opposite Party : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-06-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 3 of the RP (UP) Act registered in connection with Dehari R.P.F. P.S. Case No. 06 of 2019.

3. It is submitted that the petitioners have been falsely implicated in connection with recovery of 11 quintals of coal seized from the Pickup van. The petitioners' name has surfaced only on the basis of confessional statement of co-accused Mangesh Kumar, except which there is no objective material to connect the petitioners with the alleged offence. No recovery of any incriminating articles has been made from possessions of the petitioners, who claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest



or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Gaya in connection with Dehari R.P.F. P.S. Case No. 06 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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