

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 19000 of 2020

=====

Md. Kargil @ Guddu @ Juber Alam, aged about 22 years, male, Son of Irshad Mian, R/o Village-Jamuhar, P.S.-Dehri, Distt.-Rohtas.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the State : Md. Aslam Ansari, APP

=====

CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

02/- 21-07-2020

Heard Mr. Binod Kumar, learned counsel for the petitioner and Md. Aslam Ansari, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Dehri-On-Sone R.P.F. P.S. Case No. 24 of 2019 instituted for the offence under Section 3 R.P. (U.P.) Act.



From the F.I.R., it appears that the petitioner was spotted stealing coal and fish plates. When the police party came near the line of vision of the petitioner, he is said to have thrown away the coal which he had pilfered.

It has been submitted on behalf of the petitioner that though twenty kgs. of raw coal and fish plates were found at the place of the occurrence, but neither the petitioner was arrested on the spot nor has anything, obviously, been recovered from his possession. It has further been submitted that it appears that because of some mistaken identity, the present case has been lodged.

This Court has also taken note of the fact that the petitioner does not have criminal antecedents.

Considering the facts afore-stated, the petitioner above-named, in the event of his arrest/surrender before the Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Railway Magistrate, Gaya in



connection Dehri-On-Sone R.P.F. P.S. Case No. 24 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J.)

Praveen-II/-

U T

