

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76685 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- PATLIPUTRA RPF/POST District- Patna

Khursid @ Maulvi @ Khursid Alam @ Khursid Maulvi, S/o Late Jamrati, R/o
village- Ghegha, P.S.- Sonepur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Pathak
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in a case registered for the offence under section 3RP(UP) Act.

As per allegation in the F.I.R., on seeing four persons under suspicious circumstances the informant made an attempt to catch hold of them but three of them managed to escaped after throwing the articles which they were intending to steal while one of them namely, Nitish Kumar was caught. Nitish Kumar is said to have taken the name of the three persons who had managed to escape, the petitioner being one of them. It is stated that fish plates of the railway line was recovered from possession of Nitish Kumar.



It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. Neither the petitioner was caught at the place alleged in the F.I.R. nor was he making any attempt to steal any of the articles. His name has transpired on confessional statement of co-accused made before the police and no incriminating article has been recovered from his possession. The petitioner has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the fact that the petitioner was neither arrested at the spot nor any incriminating article has been recovered from his possession and also has no criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with R.P.F./Post/Patliputra Case No.02 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate,



Railway, Patna subject to the conditions as laid down in section
438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

