

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29519 of 2021**

Arising Out of PS. Case No.-1 Year-2021 Thana- SAMSTIPUR RPF/POST District-
Samastipur

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RASID HUSSAIN S/O LATE MEER TAIYAB R/O VILLAGE SAKARI
CHANDA TOLA WARD NO.1, P.S.-SAKARI, DISTRICT-MADHUBANI.

... .. Petitioner

Versus

THE SATTE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Ritwik Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Sumiran Rai, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 23-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with RPF/DBG
01/2021, dated 20/1/2021 registered for the offences punishable
under Section 3 of the Railway Property (Unlawful Possession)
Act, 1966.

Allegation against the petitioner is that railway
property was recovered from his scrap shop.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. Petitioner runs a scrap shop. Learned counsel further submits that recovered articles from the scrap shop of the petitioner have been put up for auction by the railway department. Petitioner is in custody since 21.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Railway, Samastipur in connection with RPF/DBG 01/2021, dated 20/1/2021, subject to the following conditions:-

1. Petitioner 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 the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation



of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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