

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6493 of 2021

Arising Out of PS. Case No.-5 Year-2020 Thana- GAYA RPF/POST District- Gaya

1. Manju Devi Wife of Vinod Bind @ Binod Bind Resident of Mohalla - Beldari tola, Ward no. 6, Pahsi, Nai Godam, P.S.- Kotwali, Dist.- Gaya.
2. Pintu Kumar Son of Late Basant Bind Resident of Mohalla - Beldari tola, Ward no. 6, Pahsi, Nai Godam, P.S.- Kotwali, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Lilawati Singh

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-04-2021 Heard learned counsel for the parties through virtual mode.

The petitioners seek bail in RPF (Gaya) P.S. Case No. 5 of 2020, registered for the offence under Section 3 of R.P. (U.P.) Act.

As per the prosecution case, theft of several quintals of coals, which was loaded on goods train, was committed and during search, from the house of petitioner no.1 (Manju Devi), 300 kg. of coal has been recovered and from the house of petitioner no. 2 (Pintu Kumar), 400 kg. of coal was recovered.

It is submitted on behalf of petitioners that nothing has been recovered from the possession of the petitioners and alleged recovery has been made from the houses of petitioners, which are in joint possession. Petitioners have got clean



antecedent and petitioner no. 1, who is a lady and mother of minor children, is in custody since 04.10.2020 and petitioner no. 2 is in custody since 25.09.2020.

Considering the period of custody and clean antecedent of the petitioners, the bail application of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Railway Magistrate, Gaya in connection with R.P.F. P.S. Case No. 5 of 2020, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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