

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.7052 of 2021**

Arising Out of PS. Case No.-19 Year-2019 Thana- GAYA RPF/POST District- Gaya

BAJARANGI RAMANI @ BAJARANGI S/o KESO RAMANI @ KESHAV  
RAMANI Resident of Village - Gumati No. 1, Jhopadpati, Delha, P.S. -  
Delha, District - Gaya.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

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

For the Opposite Party/s : Mr.Shyed Mojibur Rahman,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

3      17-06-2021              Learned counsel for the petitioner undertakes to  
  
remove all the defects pointed out by the Stamp Reporter within  
  
four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.  
Shyed Mojibur Rahman, learned APP for the State.

The petitioner in the present case is seeking regular  
  
bail in connection with R.P.F. (Gaya) P.S. Case No. 19 of 2019  
  
registered for the offences punishable under Section 3RP(UP)  
  
Act.

Learned counsel for the petitioner submits that the  
  
allegation against the petitioner is of stealing of two old fish  
  
plates of Railways weighing 15 kgs each.

Learned counsel submits that the petitioner is  
  
innocent and has falsely been implicated in the present case. It is



submitted that the petitioner has no concern with the recovered article. The petitioner has remained in jail since 25.08.2019 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the allegation against the petitioner is that he was in possession of two fish plates of Railways both weighing 15 kgs each and for this case the petitioner is in custody since 25.08.2019 and almost two years' period has gone thereafter but the trial is not likely to be concluded in near future, after seeking brief instruction, Mr. Vinod Kumar, learned Advocate has informed this Court that in all the three cases which are stated in the supplementary affidavit the petitioner is on bail and he undertakes to file an affidavit to this effect while submitting the bail bond in the learned court below, if this Court directs release of the petitioner.

Considering the nature of the offence alleged and that the petitioner has already spent about two years of custody, the trial has not been concluded so far, this Court directs release of the petitioner above named on bail on furnishing of bail bonds



of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Railway Magistrate, Gaya in connection with R.P.F. (Gaya) P.S. Case No. 19 of 2019, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

And further condition that while submitting the bail bond in the learned court below, the petitioner shall file an affidavit stating therein that in all the three cases disclosed in the supplementary affidavit, he is on bail.

The application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

