

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38723 of 2021**

Arising Out of PS. Case No.-9 Year-2020 Thana- KODERMA RPF/POST District- Gaya

Rakesh Kumar @ Munna Manjhi. Son of Rajkumar Manjhi Resident of
Village - Baskatwa, P.S. - Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Adv.

For the Opposite Party/s : Mr. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 03-01-2022 Heard learned counsel for the petitioner as well as
learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 04.11.2020 seeks
bail in connection with R.P.F. (Koderma) Case No.09 of 2020
registered for offence punishable under Section 3 R.P (U.P) Act.

Prosecution case in brief, is that nine bags of wheat
were found missing from Wagon No. WR-64535 of BQA Goods
train at Sarmatand station and the same was detected at
Baskatwa station while co-accused Sanjay Manjhi and Anil
Manjhi were found running after throwing the sacks containing



wheat who were apprehended by the RPF.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in this case on the basis of confessional statement of the co-accused and he has clean antecedent. He further submits that nothing has been recovered from his possession.

Learned counsel appearing on behalf of the State, however, opposed the prayer for grant of bail to the petitioner.

Having perused the allegation made in the FIR and the seizure list, it appears that the name of the petitioner has surfaced on the basis of confessional statement of co-accused, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/-(Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Railway Magistrate, Gaya in connection with R.P.F. (Koderma) Case No.09 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Prakash Narayan /-

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