

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42678 of 2021

Arising Out of PS. Case No.-6 Year-2020 Thana- BHAGALPUR RPF/POST District-
Bhagalpur

-
1. RAJESH YADAV Son of Late Chhato Yadav Resident of Mohalla-
Ishakchak, P.S.- Ishakchak, P.S.- Ishakchak, District- Bhagalpur.
 2. Kaila Yadav Son of Late Chhato Yadav Resident of Mohalla- Ishakchak,
P.S.- Ishakchak, P.S.- Ishakchak, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 25-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. for the State.

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

The petitioners, who are in custody since 12.02.2021
and 17.02.2021 respectively, seek regular bail in connection
with RPF Post Bhagalpur Case No. 06 of 2020 for the offences
punishable under Section 3(a) RP (up) Act.

The prosecution case, in brief, is that 22 bags of
Duraguard Cement and 18 bags of Infracen Cement were



recovered from the spot and one of the co-accused persons has admitted that he along with his associates had stolen 40 bags of cement from the goods train.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case merely on suspicion. He further submits that the name of the petitioners has surfaced on the basis of confessional statement of one co-accused Vijay Kumar. Nothing has been recovered from the possession of the petitioners. Petitioners have clean antecedent and they are in custody since 12.02.2021 and 17.02.2021 respectively.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioners.

Considering the aforementioned facts and circumstances of the case, name of the petitioners have come in the confessional statement of the co-accused, nothing has been recovered from the possession of the petitioners, petitioners have clean antecedent and period of custody of the petitioners, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-XI, Bhagalpur



in connection with RPF Post Bhagalpur Case No. 06 of 2020,
subject to the following conditions:-

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

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

(3) If the petitioners tamper 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 petitioners.

(4) If the petitioners are found involved in similar nature of offence, after their release on bail, the trial Court shall take steps to cancel their bail bonds.

(Purnendu Singh, J)

mantreshwar/-

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

