

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45274 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- HAJIPUR RPF/POST District- Saran

SUBODH KUMAR RAI Son of Suraj Ray @ Surya Deo Ray Resident of
Village - Baranti , P.S.- Rajapakar, Dist.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-01-2022 Heard.

The petitioner seeks regular bail in connection with Hajipur R.P.F. P.S. Case No. 04 of 2021, registered for the offence punishable under Section 3 of the R.P. (UP) Act.

The allegation is regarding the police having received confidential information that some miscreants had broken the door of the Railway wagon and had taken away rice/wheat bags whereupon the police had reached at the spot and had found that some miscreants were trying to flee away, nonetheless, one co-accused person namely Punit Rai was arrested, who upon interrogation disclosed the name of the other co-accused persons including the petitioner herein who had managed to flee away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the



present case, is having a clean antecedent and is languishing in custody since 25.05.2021. The learned counsel for the petitioner has further submitted that only one bag of rice was recovered from the house of the petitioner, but according to the petitioner, the same is not stolen rice and he had purchased the same from market. It is further submitted that the co-accused person namely Punit Rai, who has disclosed the name of the petitioner, is on inimical terms with the petitioner and a Title Suit is pending in between them, hence the said Punit Rai has falsely implicated the petitioner in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that the petitioner has not been arrested from the spot and he has been implicated in the present case merely on disclosure made by the said co-accused person namely Punit Rai, apart from the fact that he is having a clean antecedent and is languishing in custody since a long time, I deem it fit and proper to admit the petitioner to the privilege of regular bail.



Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Rail Judicial Magistrate, Sonapur in connection with Hajipur RPF P.S. Case No. 04 of 2021.

(Mohit Kumar Shah, J)

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