

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71731 of 2021

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

Govind Kumar @ Nepali S/o Rajendra Sharma R/o Mohalla- New Area
Dehri, P.S.- Dehri, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-05-2022 Heard learned counsel for the petitioner and the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in judicial custody in connection
with Gaya R.P.F. (Dehri On Sone) P.S. Case No. 05 of 2020
instituted under section 3 R.P. (U.P.) Act.

As per the prosecution case, the SHO I/C Inspector,
RPF Post, Gaya has alleged that 24 batteries of railway worth
Rs. 37,000/- were stolen by the accused persons and later the
same was recovered/seized from Md. Akhtar Hussain who gave
the name of the petitioner as his associate.

The learned counsel for the petitioner submits that he
was not arrested from the spot and he has been named by the



main accused Md. Akhtar Hussain who has since been enlarged on bail vide Cr. Misc. No. 17942 of 2021 on 27.9.2021.

Considering the fact that the petitioner is in custody since 16.11.2020 (as stated in para-9 of the bail application) and the co-accused Md. Akhtar Hussain has been granted bail by a coordinate bench of this Court, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of like amount each to the satisfaction of learned Judicial Railway Magistrate, Gaya, in connection with Gaya R.P.F. (Dehri On Sone) P.S. Case No. 05 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his



presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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