

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19693 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- KIUL RPF/POST District- Lakhisarai

GOPAL KUMAR @ GOPAL SAO Son of Late Bhagwan Sao @ Bhagwan
Das Resident of village-Malgodam Indra Chowk, P.S.-Nawada, Dist.-Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-07-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 3 of RP(UP) Act and 153 of Railway Act.

Allegedly, petitioner, along with other accused persons, was involved in purchasing and selling of railway property.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that at the time of occurrence, he was not present on the spot, but R.P.F. has



falsely implicated the petitioner in the present case due to non-fulfillment of illegal demand. He further submits that petitioner is a poor person and he has opened his own junk shop for his lively hood by selling and purchasing the waste materials. Petitioner's brother has license of junk shop. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as petitioner's brother has license of junk shop, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with RPF Post Kiul P.S. Case No. 08 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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