

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49418 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- NAVINAGARA RPF/POST District- Gaya

SHIVAM KUMAR @ SHIBHAM KUMAR SON OF ARBIND KUMAR
SINGH @ ARVIND SINGH VILLAGE BADKI SALAIYA P S NTPC
KHAIRA DISTRICT AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv Mrs. Sakshi Deep, Adv Mr. Bhaskar Shankar, Adv
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 3 of the Railway Property (Unlawful Possession) Act 1966.

3. Allegedly, the petitioner is said to have been involved in theft of railway property.

4. It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner is made accused on



the basis of statement of apprehended co-accused. He further submits that there is no recovery of incriminating articles from the possession of the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no recovery from the possession of the petitioner, let the above named petitioner, be released on bail, in the event of his/her 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 R.P.F. (Navinagar) P.S. Case No.02 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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