

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59165 of 2023**

Arising Out of PS. Case No.-6 Year-2023 Thana- SAMSTIPUR RPF/POST District-
Samastipur

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1. Dukhani Devi @ Sumitra Devi W/O Ram Sevak Mukhiya @ Ram Kumar Mukhiya R/O Village- Bahadurpur, P.S- Samastipur Nagar, Distt.- Samastipur.
 2. Raju Kumar Mukhiya S/O Ram Sewak Mukhia @ Ram Kumar Mukhiya R/O Village- Bahadurpur, P.S- Samastipur Nagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-09-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with RPF (SPJ) P.S. Case No. 06 of 2023 dated 19.06.2023 registered for the offences punishable u/s 3 Railway Property (Unlawful Possession) Act.

4. As per the prosecution case, the Railway Protection Force apprehended two persons with stolen railway articles and they disclosed that they used to sale the said articles to one Raju Kumar Mukhiya and they also disclosed that the family members of the co-accused Raju Kumar Mukhiya are involved in the illegal business of



the stolen railway articles.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Learned counsel has further submitted that the said recovery was made from the shop of Ram Kumar Mukhiya. Nothing has been recovered from the conscious possession of the petitioner. The Petitioner no. 1 is lady. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Samastipur in connection with RPF (SPJ) P.S. Case No. 06 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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