

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71917 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- GAYA RPF/POST District- Gaya

Purshottam Kumar, S/o Saryu Yadav @ Sarju Yadav, Resident of Village-
Bandra, Ward No- 4, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s: Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-03-2023 Heard learned counsel appearing on behalf of the pe-
titioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with R.P.F.
(Koderma) P.S. Case No. 13/2022 registered for the offence un-
der Section 3 of R.P. (U.P.) Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 30.07.2022.

The allegation against the petitioner is to have in pos-
session of “**Pendrol Clip**” which is alleged to be property of
railway.

Learned counsel appearing on behalf of the petitioner
submitted that name of petitioner surfaced during the course of



investigation on the basis of suspicion as he found walking near to railway track, where Pendrol Clip was alleged to be removed. It is also submitted that alleged 24 Pendrol Clip were recovered from the open place and not from the physical possession of this petitioner. It is also pointed out that similarly situated co-accused, namely, Munna Prasad has already been granted bail by one of the learned co-ordinate Bench of this Court vide order dated 02.02.2023 passed in Cr. Misc. No. 61465 of 2022. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as alleged recovery of Pendrol Clips not appears to made from the conscious physical possession of this petitioner, who is a man of clean antecedent, coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with R.P.F. (Koderma) P.S. Case No. 13/2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Railway



Magistrate, Gaya/concerned Court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

