

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78836 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- DEHRI ON SONE RPF/POST District-
Gaya

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Rohit Chaudhary Son Of Biran Chaudhary Village- Bhadya Ps- Karbandya
Dist- Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Section 3 of Railway Property
(Unlawful Possession) Act.

Allegation against the petitioner along with
other co-accused persons is of uprooting hundred meter
of Rail Line at Karbandiya and kept it in the forest.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he has



falsely been implicated in the present case. Neither the petitioner was apprehended on spot nor anything incriminating has been recovered from his conscious possession. There is no independent witness of the alleged seizure. The name of petitioner has been arrayed in this case merely on the basis of suspicion. Moreover, the petitioner is languishing in judicial custody since 08.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused, namely, Manoj Chaudhary @ Manoj Kumar Chaudhary has already been granted bail vide order dated 30.11.2023, passed in Cr. Misc. No. 75982 of 2023 by This Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail in connection with R.P.F. (Dehri Onsone) P.S. Case No. 10 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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