

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75982 of 2023

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

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MANOJ CHAUDHARY @ MANOJ KUMAR CHAUDHARY Son of Late
Dashrath Chaudhary R/o vill - Deyal Bigha, P.S. - Karbandya, Distt. - Rohtas
(Bihar)

... .. 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 30-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 3 of the Railway
Property (Unlawful Possession) Act.

3. The allegation against the petitioner along with
others is of uprooting hundred meter of Rail Line at Karbandiya
and kept it in the forest.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not arrested on spot and
not present at the place of occurrence. Nothing incriminating
articles have been recovered from the conscious possession of



the petitioner. The provision of Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 21.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Gaya in connection with R.P.F. (Dehri on sone) P.S. Case No. 10 of 2023.

(Sunil Kumar Panwar, J)

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