

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79427 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- DANAPUR RPF/POST District- Patna

Jitendra Kumar Singh @JITENDRA Kumar @JITU Kumar@ Karu S/O Sri
Rameshwar Prasad Village- Pareo, Ps. Bihta, Dist. Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

3. The accusation against the petitioner is of stealing the railway property.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner has been made accused in this case because of his status as he happens to be owner of the M/s Laxmi Metal having valid license for doing business of Metal Scrap. He submits that the shop of the petitioner is registered with Goods and Service Tax Department, Government of India and has been regularly paying tax to the



government as per the business transactions. He submits that there is no compliance of Section 100 of the Cr.P.C. and Section 100 of the Railway Property (Unlawful Possession) Act, 1966. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 RPF (post) Danapur P.S. Case No. 12 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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