

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7878 of 2024

Arising Out of PS. Case No.-18 Year-2023 Thana- GAYA RPF/POST District- Gaya

Hari Ram Son Of Sudhu Ram Resident Of Panchali Samthan Kalan Ps-
Badsar District -Hamirpur (Himachal Pradesh)

... .. 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. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Dehri-on-sone R.P.F. Case No.18 of 2023, lodged on
01.11.2023, under Section 3 of R.P. (U.P.) Act.

3. As per the prosecution, the FIR has been lodged
against the apprehended person who is alleged to be the truck
driver who involved in offence of theft of railway iron.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that petitioner is a poor driver, who was called by a
Kabari shopkeeper to load the iron materials which has to be
transferred to other place. The petitioner is in custody since
05.11.2023 having no criminal antecedent. He submits that it is



the first offence of the petitioner.

5. Learned counsel for the State opposes the prayer for bail and submits that from the seizure-list it transpires that all the goods seized are of railway property. .

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail subject to **deposit of a demand draft of Rs.20,000/- in favour of Railway** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Railway Judicial Magistrate, 1st Class, Gaya, in connection with Dehri-on-sone R.P.F. Case No.18 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned



police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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