

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24476 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- BACHHHWARA RAIL P.S. District-
Begusarai

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Chandan Kumar @ Chandan Sharma son of Chandan Sharma Village-
Nawadah Ps- Teyai OP Bagwanpur Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-05-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bachhawara R.P.F. P.S. Case No. 01 of 2024 for the offence registered under section 3 R.P.(UP) Act lodged on 01.02.2024 by the informant, Ram Babu Paswan.

3. As per the prosecution story, the informant who is an A.S.I. with the Railway Protection Force has lodged the F.I.R. stating that on visiting the place of occurrence, he saw the lock of Repay cum battery room, door broken and 35 battery of 200 AH missing. Later, 35 batteries were recovered in damaged condition near the ditch. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that he



has a criminal antecedent and only because of that he has been implicated. It was the accused Bambam Kumar who was the main culprit and on the basis of his confessional statement, the name of the petitioner has come. He is ready to abide by the terms and conditions imposed, if granted the privilege of anticipatory bail.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that his name has come in the confessional statement.

6. Taking into account the fact that the name of Bambam Kumar has cropped up and on his confessional statement, this petitioner's name has come, F.I.R. lodged he will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Barauni in connection with R.P.F. P.S. Case No. 01 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(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 bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next 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 evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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.

(Rajiv Roy, J)

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