

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83497 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- SONPUR RPF/POST District- Saran

1. JALALUDDIN S/O LATE BASIK MIYAN VILLAGE- BASTI JALAL, PS. DIGHWARA, DIST. SARAN
2. MUMTAJ S/O JALALUDDIN VILLAGE- BASTI JALAL, PS. DIGHWARA, DIST. SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar, Adv.
Mr. Rajeev Ranjan No.II, Ms, Priyanka, Adv.
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have filed the instant application
for grant of regular bail in a case registered for the offences
punishable under Section 3 of R.P. (U.P) Act.

3. Prosecution case in nutshell is that informant
being an inspector of R.P.F. reached at the scrap godown of
petitioners where he saw that two persons, petitioner along
with other co-accused person, were on a Truck. On search,
theft items of railway (22 piece of pandrol clips and 47
piece SEJ SEJ baring plate) were recovered, which were



brought from the scrap shop of petitioner Jalaluddin.

4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and has falsely been implicated in the present case. Petitioner no. 2 is son of petitioner no. 1 and for the same offence, both have been implicated. No incriminating article has been recovered from conscious possession of the petitioners. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 7.12.2023 passed in Cr. Misc. No. 79115 of 2023. Moreover, the petitioners are languishing in judicial custody since 16.09.2023.

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

6. 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 petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Sonpur R.P.F. Post Case No. 05 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of



the learned Judicial Magistrate 1st Class, Railway, Sonpur
(Saran).

(Sunil Kumar Panwar, J)

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