

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2314 of 2024

Arising Out of PS. Case No.-9 Year-2006 Thana- DANAPUR RPF POST District- Bhojpur

Sarju Singh @ Bijay Singh S/O Late Jhakhuri Singh @ Lale Singh Village-
Murli Hill, Near Bairagi Mal Godam, Ps. Kotwali, Dist. Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 20-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Danapur Rail P.S Case No. 09 of 2006 registered
for the offences punishable under Sections 3 of the
Railway Property (Unlawful Possession) Act.

3. As per prosecution case, Petitioner along
with co-accused looted the Baby Readymade Suit, Kurta
Button, 1 Pc. Emboded with mark of railway, raxin from
the railway break van.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case. It



is further submitted that petitioner is not named in FIR his name surfaced from the confessional statement of the co-accused. No recovery from the possession of the petitioner. It is next submitted that other co-accused has already granted bail by the trial court. It is also submitted that petitioner is in judicial custody since 16.09.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Ara in connection with Danapur Rail P.S Case No. 09 of 2006.

7. The trial court is directed to conclude the



proceeding of framing of charge according to law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on the above conditions and he shall be present physically on each and every date before the trial court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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