

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6496 of 2025

Arising Out of PS. Case No.-4 Year-2024 Thana- SAMSTIPUR RPF/POST District-
Samastipur

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Pappu Ray @ Pappu Kumar S/O Kuldip Ray R/O Village- Bhagwanpur
Desua, Police Station - Ujiyarpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.
For the Opposite Party/s : Mr. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
R.P.F. Post Samastipur P.S. Case No. 04 of 2024, instituted for
the offence punishable under Section 3 of the Railway Property
(Unlawful Possession) Act.

3. The allegation is of recovery of 5 bags containing
50 kg of rice each from the ditch near railway track. It is further
alleged that two-three persons were trying to pull the bag from
the ditch. On seeing police party, they started fleeing away
shouting *Bhag re Papua, bhag re Mithua* in the darkness
towards south direction.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that only on the basis of suspicion, the



petitioner has been made accused in this case. It is submitted that nothing has been recovered either from conscious possession or from the house of the petitioner, rather, the said 5 bags containing 50 kg each were found in the ditch near the railway track. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with R.P.F. Post Samastipur P.S. Case No. 04 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Railways, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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