

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
ANTICIPATORY BAIL PETITION NO. 642/2026
(Arising out of R.P.F. P.S. Case No. 02/2026)

Dipak Kumar

... Petitioner

Versus

The State of Bihar

... Opposite Party

Ld. Counsel for the petitioner:-
Ld. Counsel for the State :-

Sri Rishikesh Jha, Advocate
Sri Panchanand Singh, APP

Date of hearing/Disposal: 19.05.2026

ORDER

An anticipatory bail petition has been filed on behalf of the accused petitioner namely (1) Dipak Kumar, who is apprehending his arrest in connection with R.P.F. P.S. Case No. 02/2026 for the offences registered U/S 3(a) RP (UP) Act & 147 Rly Act. The copy of the same has already been duly served to the Ld. Addl. P.P. for the State.

Heard the Ld. counsel for the petitioner and the learned A.P.P. for the State.

The Ld. counsel of the petitioner has submitted that no B.P. or A.B.P. on behalf of the accused petitioner has been filed or moved earlier before this court or before the Hon'ble High Court, Patna. The petitioner is quite innocent and has committed no offence and he has been falsely implicated in this case. That the petitioner has one criminal history. That the petitioner is involved due to confessional statement of another accused. That the petitioner has not been caught on the alleged spot. That not any stolen property has been recovered from possession of the petitioner. That co-accused persons have been granted bail by your honour's court. The petitioner is local man and no chance of his absconding. The petitioner is ready to furnish local and solvent bailors to the satisfaction of the court. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of A.B.P. filed on behalf of the above named accused petitioner and submitted that the petitioner has committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioner.

The case of the prosecution, in brief, is that on 05.02.2026, during a checking drive at Katihar Railway Station, RPF staff noticed three suspicious persons carrying a carton containing shoes on Platform No. 04/05. On being challenged, two persons fled away, while one minor, Shivam Kumar Sinha was apprehended with the packet. During interrogation, he disclosed the names of his associates as Nitish Kumar Jha and Dipak Kumar and confessed that they had stolen the packet from the platform area. Hence, the present case.

Heard rival submission of the Ld. counsel on behalf of the accused petitioner and the Ld. Addl.P.P. for the State and perused the case diary. From perusal of the same, it

transpires that the instant R.P.F. P.S. Case No. 02/2026 for the offences registered U/S 3(a) RP (UP) Act & 147 Rly Act. The petitioner is not apprehended on the spot and his name surfaced only on the basis of confessional statement of the co-accused. No recovery was made from the possession of the petitioner. No independent witness has specifically identified the petitioner in the alleged theft. There is no chance of absconding or tampering with the evidence and he is ready to co-operate during investigation and trial of this case.

Hence, considering the above facts and circumstances of the case, the present anticipatory bail petition of the above named accused petitioner is hereby **allowed** and the petitioner in the event of her arrest or surrender **within four (4) weeks of this order**, shall be admitted to bail on **furnishing bail bond of Rs. 10,000/-** (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the court.

(Sd/-)

(Sunil Kumar Singh-III)
D.A.S.J.- III, Katihar
19.05.2026