

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25063 of 2016

Arising Out of PS.Case No. -391 Year- 2014 Thana -BHOJPUR GRP CASE District- BHOJPUR

1. Dilip Kumar, son of Late Gajendra Ram

2. Santosh Ram son of Rajnath Ram

3. Shyam Prakash @ Shyam Prasad son of Lakshman Ram

4. Om Prakash @ Om Prakash Kumar, S/o Lakshman Ram

5. Sudhir Kumar @ Sudhir Ram, S/o Sheo Pujan Ram

Serial Nos.1 to 5 are residents of Village- Kanhauli Kodai Tola, P.S. Bihita,
District- Patna.

6. Jitendra Ram, son of Mahabir Ram resident of Village Maharajganj, P.S.
Naubatpur, District- Patna.

7. Satyendra Prasad, son of Ram Naresh Singh resident of Village
Shekpura, P.S. Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. K.M.Joseph, Advocate

For the Opposite Party/s : Mr. Ajay Kr.-2(App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 20-06-2016

Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections
153, 145, 146, 147, 174/a of the Railways Act, 1989.

The prosecution case is that on 29.04.2014 the
father of petitioner no. 1 namely Gajendra Ram
accidentally failed from the train and succumbed to the

injuries. Thereafter the accused persons including the petitioners put the dead body on the railway track along with boulders which caused damage to the Railway engine of Train No. 12388.

It is submitted by the learned counsel for the petitioners that in fact, father of the petitioner no. 1 Gajendra Ram failed down from the train at 9.00 A.M. but the police was informed at 1.00 P.M. and after seven hours of the incident dead body was picked up from the place of occurrence. Hence, due to the delay caused the victim died. Hence, the mob made protest and as a retaliatory measure in order to conceal their own guilt the police lodged the present case. The accusation is omnibus and general against all the accused persons including the petitioners. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the omnibus and general accusation against mob and keeping in view of the statement in paragraph no. 3 of the petition with regard to criminal antecedent of the petitioners, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Railway Judicial

Magistrate, Ara in connection with R.P.F. Post Danapur Case
No. 391 of 2014, subject to conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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