

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47946 of 2016

Arising Out of PS.Case No. -189 Year- 2016 Thana -PATNA GRP CASE District- PATNA

Ravi Prakash @ Ravi Prakash Sharma, son of Binod Sharma resident of village-Naraipur, PS. Pathkauli, West Champaran. At present C/o Niranjana Sharma, Mohalla Bahadurpur Marwari Colony, Road No. 3G, P.S. Bahadurpur, Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 16-11-2016 Heard the counsel for the petitioner and Mr. Dayal, learned APP for the State.

Having been made accused of G.R.P. Patna Junction P.S. Case No. 189 of 2016 registered under sections 353, 427 & 436 IPC on the basis of the statements made by the Station Manager, the petitioner has prayed for grant for bail.

As per the prosecution case, one person died of rail accident at the station which infuriated/enraged the mob present at the place of occurrence. It is alleged that the dead body of the deceased was forcibly taken into possession and thereafter stones were pelted on the police party inasmuch as one bogie of the train was set on fire. The informant named 23 accused persons along with few other unknown.

The petitioner is not named in the FIR. It is stated that he is in custody without there being any previous criminal antecedents since 24.07.2016. Referring to Annexure-2, it is stated that one of the accuseds named in the FIR has since been granted regular bail. It is further stated that another co-accused Mritunjay Kumar from whose possession one pillow belonging to the railways was recovered has also been released on bail vide order dated 27.10.2016 passed in Cr. Misc. No. 47129 of 2016.

Taking into account the aforesaid submissions, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Railway Judicial Magistrate, Patna in G.R.P. Patna Junction P.S. Case No. 189 of 2016 on condition that one of the bailors shall be his own close family members. In the event of framing of charge, he shall appear on each date fixed at the trial. In case he defaults in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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