

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38683 of 2017

Arising Out of PS.Case No. -30 Year- 2003 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

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Sukhal Yadav, Son of Sipahi Yadav, Resident of Village- Kurmi Tola,
Kabalpur, P.S.- Sugauli, District- East Champaran.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sugauli Rail P.S. Case No. 30 of 2003 instituted for the offence under Sections-337, 307, 114, 384 of the Indian Penal Code, 27 of the Arms Act and Section- 146 of the Railways Act.

There is allegation in the written report that on 25-05-2003, at about 5.00 p.m. some RPF constables got down from Jan Nayak Express and at the betel shop, an altercation took place in between them and the betel shopkeeper, on the question of price of cigarette. In the meantime, this petitioner along with Bhukhal Yadav came with country-made pistol. On instigation of Bhukhal Yadav and this petitioner, people started stone pelting on them and petitioner with Bhukhal Yadav fired upon from their pistol but the shot did not hit anybody. There was a situation of stampede and pandemonium amongst



passengers. On instigation of Bhukhal Yadav and this petitioner, people and shopkeepers blocked railway track affecting running of train.

From the impugned order, it appears that this petitioner was absconding since long and processes u/S 82 & 83 of the Cr.P.C. have been issued against him.

In such circumstances, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner is rejected.

The petitioner is directed to surrender in the court below and seek regular bail which will be considered on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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