

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48362 of 2017

Arising Out of PS.Case No. -411 Year- 2017 Thana -BHAGALPUR RPF/POST District-
BHAGALPUR

- =====
1. Ashok Kumar Alok son of Late Shakun Yadav @ Satish Chandra Yadav, resident of Village- Noorpur, P.S.- Madhusudanpur (Nathnagar), District- Bhagalpur.
2. Chakrapani Himanshu son of Subodh Yadav, resident of Village- Srirampur, P.S.- Akbarnagar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bhagalpur RPF/Post Case No. 411 of 2017 instituted for the offence under Sections-174(A), 153, 146, 147 of the Railway Act.

It has been submitted on behalf of the petitioners that there is no allegation in the written report of causing loss to the public property or damage to the passengers. It is simply alleged in the written report that this petitioner was leading the agitators who were sitting on the railway track, on account of which, movement of two trains was obstructed.

Counsel for the petitioners has pointed out a letter written by petitioner No. 1 as member, Zila Parishad-cum-Chairman, to Divisional Rail Manager, Eastern Railway, Maldah through Station Manager, Nathnagar for enforcing the demand of opening reservation



counter at Nathnagar.

In paragraph-3 of the petition, it has been mentioned that the petitioner has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bhagalpur RpF/Post Case No. 411 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Bhagalpur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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