

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29667 of 2017

Arising Out of PS.Case No. -125 Year- 2016 Thana -BAKHTIYARPUR RAIL P.S. District-
PATNA

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1. Suraj Kumar, Son of Late Bechan Prasad
2. Rahul Kumar, Son of Rameshwar Singh
Both are Resident of Village-Nishibuchak, P.S. Fathuha, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh, Advocate

For the Opposite Party/s : Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-07-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Bakhtiyarpur Rail
P.S. Case No. 125 of 2016 (L.P.P. Fathua) instituted for the offence
under Sections 341, 323, 504, 379, 511, 353 and 34 of the Indian Penal
Code.

As per written report, three persons came on motorcycle
and misbehaved with the driver on Fathua Junction and were forcing
him to proceed the train. They also attempted to take away the mobile
of the informant. The people on *hulla* assembled there and, thereafter,
miscreants fled away after leaving the motorcycle on the platform.

It has been submitted on behalf of the petitioners that
during investigation, name of this petitioner has come in the statement
of co-accused Rajesh Kumar as mentioned in paragraph-44 of the case



diary.

It is mentioned in paragraph-3 that the petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Bakhtiyarpur Rail P.S. Case No. 125 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Railway A.C.J.M., Patna, Junction, Distt. Patna, subject to the conditions as laid down under Section 438 (2) 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.

S.Ali/-

(Sanjay Priya, J)

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