

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.72742 of 2018**

Arising Out of PS. Case No.-52 Year-2010 Thana- GAYA RAIL P.S. District- Gaya

Jugesh Yadav @ Jugeshwar Yadav, Son of Late Munarik Yadav, resident of Village Ranapur, P.S.-Guraru, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kamal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal (APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2      11-12-2018                      Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Gaya Rail P.S. Case No. 52 of 2010 registered for the offences punishable under Sections 147, 148, 149, 307, 427 of the Indian Penal Code, Section 150, 151 of the Railway Act, Section 3/4 of the Explosive Substance Act and under Section 17 of the C.L.A. Act.

Allegation against the petitioner is said to have blown the railway track in a bid to cause damage to the train.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the F.I.R. The name of petitioner has surfaced in the confessional statement of one co-accused Badri Yadav @ Netajee. Similarly placed co-accused have been granted bail by co-ordinate bench



of this court in Cr. Misc. No. 24108 of 2017 and Cr. Misc. No. 49797 of 2017 vide order dated 22.05.2017 and 30.11.2017 respectively. Petitioner is in custody since 26.09.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway Gaya, in connection with Gaya Rail P.S. Case No. 52 of 2010, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers 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 petitioner.

**(S. Kumar, J)**

Rajiv/Manoj

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