

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58436 of 2018

Arising Out of PS.Case No. -24 Year- 2018 Thana -JEHANABAD RAIL P.S. District- GAYA

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Prince Kumar, S/o Nagendra Sharma, R/o Vill.- Chanash, P.S.-
Makhdumpur, District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ritesh Kumar, Advocate.

For the Opposite Party : Mr. Ajay Kumar-1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 147, 148, 149, 341, 323,
307, 379 and 504 of the IPC.

The prosecution story, in brief, is that the informant
being a Judicial Officer posted at Sitamarhi had come to Gaya for
the purpose of his personal work and on 16.04.2018 at 7.30 P.M.,
he boarded Patna-Gaya Passenger Train. As he entered into a
bogie of the Train, a towel was lying on the seat and the informant
sat on that seat. As the Train started, a person came and asked it is
his seat and informant then told the person to sit here but that
fellow abused the informant and caught his collar and told, why



the informant removed the fellow's towel from here. The family members of that fellow disclosed that he is somewhat mentally disabled. It is further said that as the Train reached at *Makhdumpur Railway Station*, 10-15 persons armed with *Lathi and Danda* entered into that *Bogie* and started to assault the informant. The informant became badly injured and miscreants tried to drag the informant out of the Train but co-passengers saved him. It is also alleged that accused persons snatched away informant's Mobile.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of



Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Railways, Gaya, in connection with Jehanabad Rail P.S. Case No. 24 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

