

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13395 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

PRAMOD KUMAR @ PRAMOD MAHTO S/o Buchay Mahto R/o village-
Jamunichak Sahri, P.S.- Barh, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For
Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 427, 353 of the Indian
Penal Code and 27 of the Arms Act as also Sections 141/152 of
the Railway Act.

Allegedly, some unknown persons were found
throwing stolen from north side railway at Bibhuti Express and
sound of firing was also heard by the informant, R.P.F. police.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the FIR. The name of the petitioners transpired in this case on the basis of disclosure made by co-accused Sunny and Bhushan Yadav. There is no recovery of any incriminating article from possession of the petitioner. The other co-accused with similar allegation has been granted anticipatory bail by a coordinate bench of this court vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, 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 his personal bond to the satisfaction of learned Railway Court, Patna in connection with Railway Bakhtiyarpur (Barh) P.S. Case No. 83 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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