

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70206 of 2019

Arising Out of PS. Case No.-460 Year-2018 Thana- NAUGACHHIYA RPF POST District-
Khagaria

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Kundan Yadav @ Fudan Yadav @ Fudun Yadav Son of Bisundev Yadav,
Resident of Village-Kheria Yadav Tola, P.S-Kursela, District-Katihar.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 24-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with R.P.F. Post Naugachhiya P.S. Case No. 460 of
2018 registered for the offences punishable under Sections
160(A), 153, 145, 146 and 147 of the Railway Act.

Learned counsel for the petitioner submits that in the
present case there is no allegation of causing assault upon the
informant, the scuffle seems to have taken place on crossing of
the vehicle near the boom and according to the informant when
he tried to stop the vehicle three persons came down from the
vehicle and tried to lift the boom and to break the same. But
similarly situated co-accused Kare Yadav who had also criminal



antecedent has been granted regular bail by a learned Co-ordinate Bench of this Court.

Learned A.P.P. for the State has after going through the case diary does not find any specific allegation against this petitioner and the fact that the co-accused having criminal antecedent has been granted regular bail by a learned Co-ordinate Bench of this Court is not disputed.

Considering the nature of allegation in the present case and the petitioner being in custody since 22.08.2019, let the petitioner above named be released on bail in connection with R.P.F. Post Naugachhiya P.S. Case No. 460 of 2018 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate (Railway), Khagaria, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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