

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21855 of 2021**

Arising Out of PS. Case No.-26 Year-2015 Thana- BAKHTIYARPUR RAIL P.S. District-  
Patna

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RAJEEV KUMAR YADAV @ RAJEEV KUMAR SON OF AJAY KUMAR  
YADAV @ AJAY KUMAR RAY RESIDENT OF VILLAGE- RAMPUR  
SHYAM CHAND (BHAKTAN TOLA), POLICE STATION- RAGHOPUR,  
DISTRICT-VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sudish Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      11-08-2021                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection  
with Bakhtiyarpur Rail Police Station Case No. 26 of 2015,  
registered for the offence punishable under Section 395 of the  
Indian Penal Code.

This is the second attempt on behalf of the petitioner  
for grant of anticipatory bail. Earlier, the prayer for anticipatory  
bail of the petitioner was dismissed for default on 08.08.2019  
for non-compliance of the peremptory order, dated 01.08.2019,  
passed in Criminal Misc. No. 34135 of 2019.

The prosecution story, as per the First Information



Report, is that on the date of occurrence, i.e. on 03.06.2015, the informant boarded Farakka Express (train) at Danapur Railway Station for Mokama, and after some time, the informant slept and at about 00:30 hours, in the night, when the train reached at Bakhtiyarpur Railway Station, 5-6 miscreants got into the train and closed the door and started assaulting the passengers and snatched their belongings, on the gun point. It has further been alleged by the informant that Rs. 700/- was also snatched from him and the accused persons fled away after pulling the chain.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of the confessional statement of co-accused Ranjan Kumar Yadav, who was arrested on the basis of the mobile location. He further submits that no material has come against the petitioner except the confessional statement of the co-accused.

Regard being had to the submissions advanced on behalf of the parties and taking into consideration the materials on record and the fact that the First Information Report was lodged in the year 2015, the anticipatory bail application of the petitioner was dismissed by the learned Court below on 01.10.2018 and this is serious nature of offence of train dacoity, I am not inclined to grant the petitioner privilege of anticipatory



bail.

This application is, accordingly, dismissed.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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