

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33930 of 2022

Arising Out of PS. Case No.-79 Year-2021 Thana- JHAJHA RAIL P.S. District- Lakhisarai

SUNIL YADAV Son of Late Mithu Yadav Resident of Village - Rama Kurav,
P.S. - Gidhaur, District - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 385 and 353 of the Indian Penal Code and sections 145, 146, 147 and 174 of the Railways Act, 1989.

As per the prosecution case, the informant states that one person aged about 25 years entered his office and threatened that in view of the strike called, the movement of train be stopped.

It is submitted by learned counsel for the petitioner that the FIR was registered against a 25 year old unknown person. The petitioner is aged about 48 years old. The name of the petitioner transpired in course of investigation in the



confessional statement of a co-accused made before police in paragraph nos. 18, 28 and 67 of the case diary. No material has transpired to connect the petitioner with the alleged crime as stated in this FIR. The petitioner is in custody since 1.11.2021 and investigation in the case has concluded without putting the petitioner on T.I. Parade.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of material that has transpired in course of investigation, the petitioner not having been put on T.I. Parade inspite of being in custody for more than 1 year since 1.11.2021 and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Jhajha P.S. Case no. 79 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Kiul.

(Partha Sarthy, J)

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