

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52323 of 2023

Arising Out of PS. Case No.-32 Year-2022 Thana- MANSI RAIL P.S. District- Khagaria

1. Suraj Kumar Son of Phulendra Yadav @ Phulo Yadav @ Phulender Yadav R/O-Saidpur, P.S.-Mansi, Distt.-Khagaria
2. Sudhanshu Kumar Son of Ramashish Yadav R/O-Saidpur, P.S.-Mansi, Distt.-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-08-2023 Heard Mr. Binod Kumar, learned counsel appearing on behalf of the petitioners and Mr. Tapeswar Sharma, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Mansi Rail P.S. Case No. 32 of 2022 registered for the offence punishable under Sections 147, 149, 353, 435, 427 and 431 of the Indian Penal Code and Sections 150 and 151 of the Railway Act.

3. Prosecution story, in brief, is that 200 persons including the petitioners during the course of protest against Agnipath Yojna are said to have damaged the railway engine and signal. They are also said to have burnt the coaches of the train.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they are not involved in the alleged incidence in any manner. No specific allegation has been levelled against the petitioners. Petitioners only happen to be member of the mob.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation levelled against the petitioners as well as the fact that no specific allegation has been levelled against the petitioners and the petitioner happens to be only member of the mob, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Khagaria in connection with Mansi Rail P.S. Case No. 32 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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