

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53295 of 2023

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

Mantu Yadav @ Bipin Yadav @ Mantu Kumar, Son of Sukhdev Yadav
Resident of Village- Joshba Dharampur, Ps- Khaira, Distt- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Jhajha Rail P.S. Case No. 79 of 2021, instituted under Sections 145, 146, 147 and 174 of the Railway Act, Sections 4/5 of the Explosive Substance Act and Sections 16, 17, 18, 20, 21 and 22 of U.P.A. Act lodged on 31.07.2021 by the informant Binay Kumar.

As per the prosecution story, one unknown person informed Station Master of Choura Block Halt that railway station is going to be exploded if the train is not stopped. Accordingly, the FIR.

Learned counsel for the petitioner submits that his name has come in the confessional statement of accused Sunil Yadav and he is in custody since 23.03.2023 (para 10 of the



petition) but no Test Identification Parade conducted. Further submission is that said Sunil Yadav has been released on bail vide order dated 17.01.2023 passed in Criminal Misc. No. 33930 of 2022 by a coordinate Bench of this Court.

Learned APP opposes the prayer for bail.

Considering the fact that only one person is said to have informed the Station Master, Sunil Yadav has named the petitioner, who has already been granted bail, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Jhajha Rail P.S. Case No. 79 of 2021 to the satisfaction of learned Railway Judicial Magistrate, Kiul, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

Bhardwaj/-

(Rajiv Roy, J)

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