

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48086 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- KHAGARIA RAIL P.S. District- Khagaria

DHANRAJ YADAV @ DHANRAJ KUMAR S/O MOHIT YADAV R/O
VILLAGE- HIRATOL WARD NO. 1, P.S- SAHEBPUR KAMAL, DISTT.-
BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-07-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 353, 307 and 34 of the IPC and Section 27 of the Arms
Act in connection with Khagaria Rail P.S. Case No.40 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 106.2 liters of liquor from a train along with two
empty cartridges.

4. It is further alleged that the accused persons fled
and while fleeing they fired at the police and the police in return
also fired, but then no one was injured.

5. The learned counsel submits that petitioner has



been implicated in the instant case based on disclosure made by local person, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion on the case of the prosecution. It is also submitted petitioner is a person with clean antecedent and will not abscond rather will cooperate in the investigation.

6. The learned APP for the State opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, IInd, Khagaria in connection with Khagaria Rail P.S. Case No.40 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the



investigation, in that event, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner and to take all coercive steps to ensure that petitioner is behind bar.

9. Let a copy of this order be sent to the concerned P.S. through the learned Trial court.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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