

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84489 of 2023

Arising Out of PS. Case No.-68 Year-2022 Thana- KIUL RAIL P.S. District- Lakhisarai

MULAYAM SINGH YADAV SON OF SITARAM YADAV R/O VILLAGE-
LAKHOCHAK, P.S.- KIUL, DIST.- LAKHISARAI

... .. 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. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-01-2024 Heard Mr. Narsingh Tanti, learned counsel for the

petitioner and Mr. Pradeep Narain Kumar, learned APP for the

State.

2. The petitioner is apprehending his arrest connection with Kiul Rail P.S. Case No. 68 of 2022, F.I.R. dated 17.06.2022 registered for the offences punishable under Sections 147, 148, 149, 353, 436, 457, 380, 411, 302, 427 of the Indian Penal Code, Sections 150, 151, 152, 145, 146, 147, 174(A) of the Railway Act.

3. As per the prosecution story, the Station master alleged that opposing the “Agniveer’ Project of Government of India, the students took out procession, 500 of them reached Lakhisarai Station and resorted in violence, ransacked the coaches and also torched the train which led to burning of 21



coaches of 12368 DN which was at that time at Platform No. 2.

4. Learned counsel for the petitioner submits that for the same occurrence the petitioner has been made accused in RPF Kiul P.S. Case No. 03 of 2022 from the same set of allegation and in which the petitioner has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court and apart from that similarly situated co-accused persons namely Binod Kumar @ Vinod Kumar and Subhash Kumar have been granted the privilege of anticipatory bail by this Court vide order dated 18.10.2023 passed in Cr. Misc. No. 58994 of 2023.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Kiul in connection with Kiul Rail P.S. Case No. 68 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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