

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2000 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- DANAPUR RAIL P.S. District- Patna

1. Gajender Kumar S/O RAJNANDAN YADAV VILLAGE- DILAWARPUR, PS. BIHTA, DISTT. PATNA, BIHAR
2. DHANANJAY KUMAR S/O RAJNANDAN YADAV VILLAGE- DILAWARPUR, PS. BIHTA, DISTT. PATNA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Rail P.S. (Bihta) Danapur Case No. 140 of 2023 dated 24.06.2023 registered for the offence/s punishable u/ss 147, 148, 149, 353, 504 and 427 of the Indian Penal Code, sections 137 and 147 of the Railway Act, section 3 of the Damage to Public Property Act and section 27 of the Arms Act.

3. As per the prosecution case, 5-6 unknown miscreants are alleged to have stopped the train by pulling its chain and started damaging and broke the glass of the train.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this



case. The petitioners are not named in the FIR. The name of the petitioners has sprung up in the confessional statement of the co-accused Abhay Kumar @ Chhotu. There is nothing except confessional statement. There is general and omnibus allegation against the petitioners. The petitioner no. 1 has no criminal antecedent and the petitioner no. 2 has one more criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Patna in connection with Rail P.S. (Bihta) Danapur Case No. 140 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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