

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17511 of 2025

Arising Out of PS. Case No.-87 Year-2024 Thana- MUZAFFARPUR RAIL P.S. District-
Saran

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1. Rahul Raj @ Bipin Kumar Rai S/O Binod Ray R/O Vill.- Mansurpur, P.S.- Sarai, Dist.- Vaishali
 2. Sanjay Kumar @ Sanjay Baitha S/O Late Raj Bali Baitha R/O Vill.- Mansurpur, P.S.- Sarai, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-03-2025 Heard Mr. Suman Kumar, learned counsel for the

petitioners and Ms. Sharda Kumari, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rail Muzaffarpur P.S. Case No. 87 of 2024, F.I.R. dated 16.04.024 for the offences punishable under Sections 341, 323, 353, 307, 505/34 of Indian Penal Code and Sections 146, 147, 151(2) of Railway Act, 1989.

3. According to prosecution case, the petitioners along with other accused persons abused and assaulted the informant with knife with intention to kill him.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in the present case and



the allegation as alleged in the F.I.R is false and fabricated. He further submits that although the petitioners are named in the F.I.R but there is no specific allegation of assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner no. 1 carries four criminal antecedent other than the present one and petitioner no.2 has got no criminal antecedent.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific allegation of any assault attributed against these petitioners rather there is general and omnibus allegation against these petitioners, let the petitioners, above named, in the event of 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM Rail, Sonapur, Saran, Chapra in connection with Rail Muzaffarpur P.S. Case No. 87 of 2024, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure /
Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and
with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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