

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83277 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- JAMUI RAIL District- Lakhisarai

1. Mathura Yadav S/o- Vishnudev Yadav @ Bishnudev Yadav Resident of Village- Sangrampur, P.S.- Chanan, District- Lakhisarai
2. Bhuneshwar Yadav S/o- Vishnudev Yadav @ Bishnudev Yadav Resident of Village- Sangrampur, P.S.- Chanan, District- Lakhisarai
3. Santosh Yadav @ Santosh Kumar S/o- Mathura Yadav Village- Sangrampur, P.S.- Chanan, District- Lakhisarai
4. Sonu Kumar @ Sifon Niraj @ Sonelal Kumar S/o- Prayag Yadav Village- Jankidih P.S.- Chanan, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Anand, Advocate
For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-12-2025 Learned Advocate for the petitioners seeks permission to make necessary correction in para. no.10 of the bail application, in course of the day.

2. Permission is accorded.

3. Heard the parties.

4. The petitioners are apprehending their arrest in connection with Jamui Rail P.S. Case No. 30 of 2024 registered for the offences punishable under Sections 190, 191(2), 191(3), 115, 117, 352, 303(2), 351 and 109 of the Bhartiya Nayay Sanhita, 2023.



5. Allegedly while the informant along with his family members were returning from Deoghar to Kiul by Train No. 13207, the accused persons, including the petitioners, boarded the train and started misbehaving with the female passengers. When the protest was made, the petitioners along with 10-15 other unknown persons assaulted the informant and others, due to which three persons have sustained serious injury. It is also alleged that the accused persons have also snatched valuables.

6. Learned Advocate for the petitioners submitted that the reason behind the said occurrence is nothing but the seats accommodation, which resulted into scuffle and some unfortunate injuries, however, only on account of some criminal antecedent of petitioner nos. 1, 3 and 4, their names have been implicated. It is further contended that during the course of investigation, the investigating officer has concluded the investigation and filed charge sheet against the accused persons only under Sections 115, 118(1), 352, 351 and 3(5) of the Bhartiya Nayay Sanhita, 2023 and Section 145 of the Railways Act and no charge-sheet has been submitted under Sections 190, 191(2), 191(3) of the Bhartiya Nayay Sanhita, 2023. It has also been informed to this Court that the petitioners were granted the privilege of Section 35(3) of the Bharatiya Nagarik Suraksha



Sanhita, 2023 during the pendency of the investigation. To support the aforesaid contention, the charge sheet and other documents have been placed on record.

7. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioners have actively participated in the crime, besides the petitioner nos. 1, 3 and 4 bear 1-2 criminal antecedents.

8. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that charge-sheet has been submitted under Sections 115, 118(1), 352, 351 and 3(5) of the Bhartiya Nayay Sanhita, 2023 and Section 145 of the Railways Act, besides there is no specific accusation against the petitioners, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Kiul in connection with Jamui Rail P.S. Case No. 30 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of



the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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