

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51737 of 2026

Arising Out of PS. Case No.-112 Year-2026 Thana- ARA RAIL P.S. District- Bhojpur

Uday Kumar Son of Lalbabu Singh Resident of Village- Dihari, P.S.- Dehri in
the district of Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Railway Patna Ara P.S. Case No.112 of 2026, F.I.R dated 28.04.2026 registered for the offences punishable under Sections 115(2), 118(1), 126(2), 109, 190, 191, 351, 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant, Jaiprakash Thakur, alleged that while he and his companions were returning from Secunderabad to their native place by Train No. 12791 on 28.04.2026, after the train crossed Bihiyan Railway Station, 5-6 boys repeatedly spat gutkha, causing the spit to fall on them. When they objected, the boys abused and assaulted them. During the incident, the assailants called each



other by the names Sonu, Tendua, and Saroj, and summoned additional associates to Jagjivan Halt. Upon reaching Jagjivan Halt, the accused allegedly stopped the train by pulling the emergency chain, after which their associates joined in assaulting the informant and his companions and pelted stones at the train, causing injuries. The informant recorded a short video of the incident and handed it over to the Railway Police.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It has further been submitted that, as would appear from the impugned order, although the prosecution has referred to a video recording, the petitioner has not been identified therein. It is further submitted that the only allegation against the petitioner is that he, along with others, was involved in pelting stones after stopping the train while, the name of the petitioner is said to have transpired on the confessional statement of co-accused Sonu, and nothing incriminating is said to have been recovered to show his complicity in the commission of said offence. Lastly, it has been submitted that the petitioner has one criminal antecedent but is on bail in the said case.

5. Learned APP for the State opposes the prayer for



anticipatory bail application.

6. Considering the aforesaid facts and circumstances that there is no specific allegation against the petitioner and the prosecution has failed to demonstrate any material showing direct involvement of the petitioner in the alleged offence and nothing incriminating is said to have been recovered to show his complicity in the commission of said offence except the confessional statement of the co-accused Sonu and petitioner has one criminal antecedent but is on bail in the said case. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Railway, Bhojpur at Ara, in connection with Railway Patna Ara P.S. Case No.112 of 2026, 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) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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