IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77286 of 2026

CNR No. BRHC011061272026

Arising Out of PS. Case No.-134 Year-2024 Thana- DANAPUR RAIL P.S. District- Patna

==========

Md. Imtiyaz @ Md. Imteyaz Alam Son of Md. Quamruddin R/O Neura, P.S.- Neura, District - Patna

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Dhirendra Prasad Sinha, Adv.
For the Opposite Party/s : Mr.Arun Kumar Pandey, Adv.

==========

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 29-10-2026 Heard learned counsel for the petitioner as well as learned A.P.P. on behalf of the State.

2. The petitioner has been made an accused in a case registered for the offences punishable under Sections 147, 149, 341, 323, 332, 337, 338, 307, 353, 379 and 427 of I.P.C. and 152 of the Railways Act.

3. As per the allegations made in the F.I.R., the informant has alleged that while he was on patrolling duty in Train No. 12488, Seemanchal Express, along with other police personnel, when the train reached past Bihta and stopped due to chain pulling, 20 to 25 unknown persons deboarded from the train and thereafter they hid themselves in the bushes. It is further alleged that they started pelting stones on R.P.F.

WEB COPY

personnel as well as on the train resulting in the breaking of window glasses of the train. It is also alleged that miscreants had took the bag of pantry car manager containing one lakh rupees and two mobile phones of the train vendor.

4. Learned counsel for the petitioner submits that even though he has not been named in the First Information Report, but on the basis of the location of the mobile, he was implicated in this matter. Learned counsel further submits that there is no direct allegation against the petitioner, nor is there any eye witness to connect the petitioner to the alleged offence. Learned counsel further submits that the petitioner has one case against him, which is of a different nature. It is further submitted that the co-accused of this case, namely, Shiv Mangal Kumar and Om Prakash Chauhan have already been granted bail by a coordinate Bench of this Court as mentioned in Criminal Miscellaneous No. 74963 of 2024 dated 18.12.2024 and 77123 of 2024 dated 17.01.2025, respectively. Learned counsel further submits that the petitioner undertakes to cooperate with the investigation as well as in the trial and not to repeat the offence.

5. The petitioner has been in judicial custody since 04.06.2026.

6. Learned A.P.P. on behalf of the State has opposed

WEB COPY

the application.

7. Taking into consideration the fact that there is no direct allegation against the petitioner and as such no injury was caused on any R.P.F. personnel as well as the fact that the other co-accused persons similarly situated have been enlarged on bail and the entire facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Learned Court of Railway Judicial Magistrate, Patna or concerned Court, in connection with G.R.D. Danapur P.S. Case No. 134 of 2024, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of the trial.

(ii) One of the bailors must be a close relative of the petitioner, such as his mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) If the petitioner repeats an offence of a similar

WEB COPY

nature, his bail bond shall be liable to be cancelled by the Court below after following due process of law.

(v) Before release, the learned Court below shall verify the criminal antecedent of the petitioner and if the petitioner is found involved in any case other than the one case as mentioned in paragraph-3 of the main bail petition he shall not be released.

The case mentioned in paragraph-3 is as follows :-

(1) Patna Rail P.S. Case No. 30 of 2023.

(vi) It is also made clear that there shall be no delay in verifying the criminal antecedents of the petitioner and the delay shall not extend beyond the period of ten days.

(Raj Kumar, J)

prachi/-

U			

WEB COPY