

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27575 of 2015

Arising Out of PS.Case No. -26 Year- 2014 Thana -PATNA GRP CASE District- PATNA

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1. Anil Kumar @ Anil Yadav s/o Janki Prasad Singh r/o vill Dadapur, P.S.
Fatheapur, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Rina Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 160(B) of Railway Act.

The allegation against the petitioner is that on
23.1.2014, the petitioner was the driver of the vehicle, in question
and after breaking the boom of the Railway Gate No. 41 fled away
towards Nawada. It is further alleged that Shramji Express was to
cross the gate and hence the gate was closed by the gateman.

On behalf of the petitioner, it has been submitted
that the petitioner is in custody since 16.4.2015. The petitioner has
got no criminal antecedent. It is further submitted that the
petitioner has been made accused in this case due to mistake of

fact as to when he has not damaged any property of the railway.

On behalf of the State, it has been submitted that the petitioner is not named in the FIR.

Considering the facts aforesaid, let above named petitioner 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 learned Railway Judicial Magistrate, Patna, in R.P.F. Bakhtiyarpur P.S.Case No. 26/2014.

(Sudhir Singh, J)

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