

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28820 of 2015**

Arising Out of PS.Case No. -31 Year- 2015 Thana -WEST CHAMPARAN GRP CASE District-  
WESTCHAMPARAN(BETTIAH)

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1. Nagendra Sah son of Harihar Sah Resident of Village - Ghusiyar, Police  
Station - Sangrampur, District - East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Zainul Abedin (App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      24-07-2015                      Heard learned counsel for the petitioner as well as  
  
learned counsel for the State.

In this application for anticipatory bail the petitioner  
apprehends his arrest for the offences punishable under section  
160 B of the Railway Act.

The prosecution story, in brief, is that Gate man of  
gate No. 160 (spl) alleged that Driver of one Auto bearing  
registration no. BR 05p 4657 rashly and negligently came and  
dashed in the Boom of Railway gate while good train was being  
passed and damaged the west Boom of the gate and managed to  
flee away and thereafter police came and seized the Auto.

It is submitted on behalf of the petitioner that the  
petitioner that the petitioner has been implicated falsely in this

case. It has further been submitted that the petitioner has got no criminal antecedent. The petitioner has no intention to cause damage the railway property.

On behalf of the State, it has been submitted that petitioner has dashed the Tempo in the railway gate and for the same the present prosecution has been brought against him.

Considering the aforesaid facts and circumstances, the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, shall 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. Railway Judicial Magistrate, Bettiah, West Champaran in Bapudham Motihari Rail P.S. Case No. 31 of 2015, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

**(Sudhir Singh, J)**

Abhay/-

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