

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10429 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -PATNA GRP CASE District- PATNA

1. Gopal Sharan S/o Shri Krishna Murari Singh Resident of Village and P.O. Sakraicha, P.S. Parsa Bazar, District Patna at present posted as T.T.E., E.C. Rly., Asansole (W.B.).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-04-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,379 and 504/34 of the Indian Penal Code and sections 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that the informant was travelling from Tata-Danapur Express in general compartment when he got down from the train in Bakhtiyarpur and boarded the AC compartment of the train and requested the petitioner to provide seat but he was asked to leave the

coach, abused by calling the caste name and rupees two thousand was snatched.

It is submitted by the learned counsel for the petitioner that for the occurrence of 27.12.2014 the FIR was registered on 30.12.2014 which reached the court of the learned Railway Judicial Magistrate on 1.1.2015. Admittedly, the informant was travelling in AC compartment without any proper reservation and the Railway Havildar Vijay Mahto filed Mokama Rail P.S. Case No. 45 of 2014 against the informant making accusation under sections 147,148,341,323,379 and 504 IPC on 27.12.2014 itself. The petitioner also lodged a case vide Mokama Rail P.S. Case No. 44 of 2014 making accusation under sections 147,148, 341,323,342, 307,353, 379 and 504 IPC on 27.12.2014 against the informant.

Considering the fact that the cases were lodged by the petitioner and the railway police at earlier point of time, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today 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 connection with GRP (Mokama) P.S. Case No. 46 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)

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