

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44114 of 2016

Arising Out of PS.Case No. -729 Year- 2016 Thana -BHOJPUR GRP CASE District- BHOJPUR

Rajesh Kumar, Son of Jag Narayan Choudhary, resident of Ram Nagar, P.S. Bihta,
District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Inspector Incharge, RPF/ E.C. Railway, Ara

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Uday Singh, Advocate.

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-10-2016

Heard learned counsel for the parties.

The petitioner apprehends arrest in connection with Ara
R.P.F. Case No. 729 of 2016 dated 15.08.2016 registered under
Section 160(2) of the Railway Act.

The allegation against the petitioner is of causing damage
to a railway gate at a railway crossing upon dashing against it.

Learned counsel for the petitioner submits that it was a
sheer accident, as the vehicle being driven by him was already in
motion and suddenly the gate closed resulting in the unfortunate
occurrence. It is submitted that even the vehicle of the petitioner has
been damaged. Learned counsel submits that there was no intention
and further, that there is also no past criminal history against the

petitioner.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsels for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner, named above, be released on bail upon furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Ara in connection with Ara R.P.F. Case No. 729 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

Sujit/-

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