

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60131 of 2018

Arising Out of PS.Case No. -1707 Year- 2018 Thana -PATNA JN RPF/POST District- PATNA

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1. Md. Imran @ Raja S/o Md. Jiauddin, R/o Mohalla- New Karbigahia,
P.S.- Jakanpur, District & Town- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Sharma

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 06.10.2018 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Case no. 2134C/2018 arising out of R.P.F. Post Patna case
no. 1707/2018 registered under section 143 of the Railway
Act.

The name of the petitioner came in this case in the
confessional statement of co-accused Raj Kumar who was
caught by the police officials while he was illegally
purchasing railway tickets and the aforesaid Raj Kumar
disclosed that it was the petitioner who sent him for illegally
purchasing tickets.

Section 143 of the Railway Act, 1989 prescribes



maximum punishment up to three years with fine of Rs 10,000/- and therefore, the aforesaid offence appears to be bailable in nature.

Therefore, in the aforesaid circumstance, in my view, this anticipatory bail petition is not maintainable. Accordingly, this anticipatory bail petition stands dismissed being not maintainable. However, it is made clear that if the petitioner is apprehended by the police or surrenders before the court below, the concerned authority shall pass appropriate order on bail prayer of the petitioner keeping in mind the observations made in this petition, if bail prayer is made before the concerned authority.

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(Hemant Kumar Srivastava,J)

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