

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13225 of 2019

Arising Out of PS. Case No.-480 Year-2018 Thana- FATUA RPF/POST District- Patna

SHAMBHU KUMAR, S/o Sita Prasad, Resident of Village- Dariyapur, Post-
Kachiyawa, P.S.- Nagarnausa, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Prasad

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection
with RPF (Post Fatuha) P.S. Case No. 480 of 2018 registered for
the offences punishable under Section 160(B) of the Railway
Act.

Learned counsel for the petitioner submits that as per
the allegation while gate man of the railway gate situated at
Hilsa was closing the gate for train no.12402 DN, one tempo
came rashly and dashed the southern boom of the gate. Learned
counsel submits that there is no such occurrence as alleged has
taken place. The petitioner is neither the driver nor the owner of
the vehicle in question and no one has injured in the alleged
occurrence.



Learned APP for the State is present and has opposed the prayer for anticipatory bail.

In the given facts and circumstances of the case where it is the submission of the petitioner that he is neither the driver nor the owner of the vehicle in question and no one has injured in the alleged occurrence, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Railway, Patna in connection with R.P.F. (Post Fatuha) P.S. Case No. 480 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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