

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33129 of 2020

Arising Out of PS. Case No.-36 Year-2018 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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GOLU KUMAR @ ADITYA KUMAR S/o Jalandhar Singh @ Janardhan
Singh R/o village- Bahadurpur, P.S.- Athmalgola, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 323, 353, 427 of the Indian Penal
Code and Sections 145, 146, 150, 174 of the Railway Act.

The allegation against the accused-petitioner is that he
along with co-accused persons and two hundred fifty unknown
persons armed with lathi and danda started protesting in support
of Bharat Band and they also put slab on the railway line at the
western end of Athmalgola Railway Station. It is further alleged



that when the police tried to remove the slab from the railway line, the accused persons became aggressive and removed the large pipe of the goods train and caused hindrance in the government work.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. Altogether 15 persons are named in the FIR along with 200-250 unknown persons. Allegation is that the accused persons blocked the railway line. They protested against the act of the police. General and omnibus allegation has been made against the petitioner. The other co-accused with similar allegation have been granted anticipatory bail by a coordinate bench of this court vide order dated 26-06-2019 passed in Cr. Misc. No. 38090 of 2019.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing



bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Patna in connection with Bakhtiyarpur (Barh) P.S. Case No. 36 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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