

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2956 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- NAUGACHHIYA RPF POST District-
Khagaria

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KAUSHAL RAJ Son of SHATRUDHAN PRASAD PAL Resident of Village
- Sadhna, P.S. - Rangra Chowk, District - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioners is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 146, 147 and 153 of the Railways
Act, 1989.

The prosecution allegation, in short, is that the
motorcycle of the accused person got collided with the train and
thus created obstruction in the duty.

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 falsely been implicated in the present case. The petitioner had no intention to interrupt the train. The petitioner was crossing railway line and due to some technical problem, his motorcycle got stopped. He tried to remove the motorcycle from the railway line but in the meantime, the engine of the train collided with the motorcycle in question. The petitioner had no intention to commit offence under Section 153 of the Railway Act.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Railway at Khagaria in connection with Naugachia R.P.F. Post Case No. 69/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Pankaj/-

(Sudhir Singh, J)

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