

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72498 of 2021**

Arising Out of PS. Case No.-37 Year-2021 Thana- BACHHWARA RAIL P.S. District-
Begusarai

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Lalan Singh Son of Late Manikant Singh Resident of Village- Mahisarai,
Ward No. 12, P.S.- Ujiarpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar..

.. .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 09-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

This is an application for grant of anticipatory bail in
connection with R.P.F. Bachwara P.S. Case No. 37 of 2021
registered for the offences punishable under Sections 153, 147 and
159 of the Railway Act.

As per F.I.R., it is alleged that for passing of Train No.
05232 the informant was closing the crossing gate, at that time one
person with motorcycle bearing Registration No. BR33-K-1185
was trying to pass the motorcycle, in the meantime, Train No.
05232 came and dashed the motorcycle and the driver fled away.

Learned counsel for the petitioner submits that the



petitioner is not the owner of the motorcycle in question and the name of the petitioner came on the confessional statement of the owner of the vehicle that petitioner was driving the said motorcycle at the relevant point of time and there is no damage to the railway property and he has no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer of anticipatory bail application of the petitioner.

Considering the fact that there is no damage to the railway property and petitioner has no criminal antecedent, let the petitioner, above named, in the event of his arrest/surrender within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on 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 District Judge-XIV, Begusarai in connection with R.P.F. Bachhawara P.S. Case No. 37 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that the petitioner will file an undertaking before the learned court below that in future he will not do such type of negligent driving of the vehicle.

(Sunil Dutta Mishra, J)

ved/-

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