

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14523 of 2023

Arising Out of PS. Case No.-1035 Year-2022 Thana- BACHHWARA RAIL P.S. District-
Begusarai

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Baliram Prasad Singh, S/o Late Yogendra Prasad Singh R/o Village- Bazidpur
Karnail, P.S.- Tajpur, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

Mr. Vikas Kumar Jha, Advocate

For the UOI : Mr. Praveen Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-04-2023 Heard Mr. Prince Kumar Mishra, learned counsel

appearing on behalf of the petitioner, Sri Praveen Kumar Sinha,

learned counsel appearing for UOI and Mr. Raj Kishor Singh,

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in

connection with RPF Post Bachwara/Bachwara Rail P.S. Case

No. 1035 of 2022, dated 29.11.2022, registered under Section

147 & 153 of the Railway Act.

3. The prosecution case, in brief, is that Station

Master, Dalsinghsarai reported that one motorcycle dashed

train No. 17008 DN for which train got delayed by 14 minutes,

which caused inconvenienc to the passengers. The petitioner is

said to be the owner of the motorcycle bearing registration No.



BR-33N-9427.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is aged about 78 years and he is not able to ride the motorcycle, which was stolen about which the petitioner tried to lodge F.I.R, but F.I.R. was not lodged and in the meantime accident took place. The petitioner has pleaded his innocence that he was not at the place of occurrence and on these ground states to be given protection.

5. Learned counsel appearing on behalf of the railway informs this Court that it is admitted fact that petitioner is an old man, but due to his negligence much inconvenience has been caused to the passenger and for which the petitioner is liable to be prosecuted for the offence under Sections 147 and 153 of the Railways Act.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and supported the statement made on behalf of the railway.

7. Considering the nature of allegation against the petitioner and the age of the petitioner, the petitioner has made out a case to be released on pre-arrest bail.

8. Let the above named petitioner, be released on pre-arrest bail, in the event of his arrest or surrender before the



learned Court below within a period of four weeks from today,
on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two
sureties of the like amount each to the satisfaction of learned
Railway Judicial Magistrate, Barauni in connection with
Bachwara/Bachwara Rail P.S. Case No. 1035 of 2022, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

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