

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53988 of 2024

Arising Out of PS. Case No.-415 Year-2024 Thana- GAYA RPF/POST District- Gaya

Mithilesh Kumar S/o- Upendra Singh Village- Bikua Kalan, P.S. Dumariya,
Dist. Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 143 of the IPC in connection with Gaya R.P.F. Case
No.415 of 2024.

3. The learned counsel for the petitioner submits that
petitioner has been implicated in a case under Section 143 of the
Railway Act.

4. It is further submitted that the section does not
define whether offence is bailable or non-bailable, but then
submits that punishment is three years or with fine, hence the
offence can be construed to be a bailable offence, but then
submits that the learned Additional Sessions Judge, XVI, Gaya
without appreciating the facts of the case in its correct



perspective in a mechanical manner rejected the anticipatory bail application of the petitioner.

5. The learned APP opposes the anticipatory bail application.

6. Be that as it may, considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, First Class, Gaya in connection with Gaya R.P.F. Case No.415 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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