

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57919 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- NARKATIYAGANJ RPF/POST District-
West Champaran

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Md. Mustaque, Son of Amir Miyan, Resident Of Village- Madarsa Diuliya
Ward No.-05 Narkatiaganj, Police Station- Shikarpur, District- West
Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-09-2024 Heard Mr. Brij Kishor Mishra, learned counsel for

the petitioner and Mr. Rajendra Nath Jha, learned APP for the

State.

2. The petitioner apprehends his arrest in connection with

Narkatiaganj R.P.F. Police Station Case No. 141 of 2024 dated

10.04.2024 registered for the offence punishable under Section

160(2) of the Railway Act.

3. Learned counsel appearing for the petitioner submits

that the petitioner has been made accused mainly on the basis of

him being the registered owner of the motorcycle which allegedly

broke the railway crossing gate. It is further submitted that the

petitioner has not caused any damage deliberately to the railway

property. Learned counsel further submits that the petitioner is a

person of young age having fair and clean antecedent.



4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Having considered the nature of allegation and mainly taking into account the young age of the petitioner and also the fact that the instant matter relates to rash and negligent driving which resulted in the damage to the railway crossing gate and the petitioner has been made accused mainly on account of being the registered owner of the offending motorcycle and also coupled with the fair and clean antecedent of the petitioner, in my opinion, in the said circumstances, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Narkatiaganj R.P.F. Police Station Case No. 141 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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