

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86249 of 2023

Arising Out of PS. Case No.-104 Year-2022 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

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Nandan Kumar Son of Mukesh Chaudhary R/o vill - Anandpur Morwa, 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.Om Prakash Om, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Rail Samastipur P.S. Case No.104 of 2022 registered for the offences punishable under Sections 147, 148, 149, 353, 332, 336, 307, 427 and 436 of the Indian Penal Code, Section 3/4 of the Prevention of Damage to Public Property Act, 1984 and Sections 150, 151 and 152 of the Indian Railway Act. The petitioner has got one criminal antecedent in which he is said to be on bail.

3. As per the prosecution story, on 17.06.2022 the petitioner along with 150-200 unknown persons obstructed the railway line and started damaging the public property as also

interrupted the police officials in discharging their duty.

4. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner and he is said to be one amongst 150-200 unknown persons.

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

6. Having regard to the facts and circumstances of the case, there being no specific allegation against the petitioner and he is said to be one amongst 150-200 unknown persons, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned J.M. - 1st Class (Railway), Samastipur in connection with Rail Samastipur P.S. Case No. 104 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the

acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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