

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17939 of 2020

Arising Out of PS. Case No.-49 Year-2019 Thana- RAIYAM District- Darbhanga

RAM KAILASH YADAV, aged about 41 years (Male), Son of Baldeo Yadav,
Resident of Village - Rajaura, P.S.- Raiyam, Distt. - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Kedar Jha, Advocate.
For the Opposite Party : Mr.Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offences registered under Sections 147, 149, 342, 323, 341,
447, 448, 337, 338, 307, 379, 353, 427, 435, 504, 506, 436,
120(B) of the IPC and $\frac{3}{4}$ of Prevention of Damage to Public
Property Act, 1984.

The prosecution case, in short, is that the informant
received an information that the owner of a *Petrol Pump* was
shot dead after being robbed of his money by some unknown



miscreants. He alongwith other officials went there and saw that a large number of people had assembled at the place of occurrence to protest against his death. They had blocked the road. After much persuasion, road blockage was removed and the police officials returned to his police station. Thereafter, a mob of 400 persons gathered near the Raiyam Police Station and started pelting stones and damaged the police vehicles and articles of the said police station. They also set fire in the police station, as a result of which, some papers and properties were damaged. Some police officials sustained injuries due to pelting stones. The miscreants were identified with the help of CCTV footage.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. The local residents were protesting against the police in respect of murder of the owner of a Petrol Pump. No specific overt act is alleged against the petitioner. No injury has been caused by the petitioner. General and omnibus allegation has been made against the petitioner.

On behalf of the State, it is submitted that the



petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Raiyam P.S. Case No. 49 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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