

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9171 of 2022

Arising Out of PS. Case No.-436 Year-2018 Thana- BUDDHACOLONY District- Patna

CHANDAN KUMAR, aged about 25 years, Male, Son of Satendra Paswan,
Resident of Village - Kakaria, P.O.- Kalpa, P.s.- Jehanabad, Distt.- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Pathak, Advocate
For the Opposite Party : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner is apprehending his arrest in connection
with Budha Colony P.S. Case No. 436/2018 for the offence
registered under Sections 147, 148, 149, 188, 341, 342, 323,
324, 325, 337, 326, 332, 333, 337, 338, 353, 427, 449, 450, 451,
452, 461, 120(B) of the I.P.C. and $\frac{3}{4}$ of the Damage to Public
Property Act.

The prosecution story, in brief, is that due to sudden
death of a Trainee Constable on 02.11.2018, in course of
training, 167 persons including the petitioners and 300-350



unknown started making protest against the lack of proper care by the officials during the treatment of the deceased Trainee Constable and entered into the house of Deputy Superintendent of Police (Trainee) and vandalized the articles and physically assaulted him.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. A lady constable is said to have died during the treatment. The entire constables started protesting against the death of the said lady constable as she was not provided proper treatment. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Other similarly situated co-accused have been granted anticipatory bail by another Co-ordinate Benches of this Court vide Cr. Misc. No. 44514 of 2019 under order dated 19.07.2019, Cr. Misc. No. 45853 of 2019 under order dated 16.11.2019 and Cr. Misc. No. 46228 of 2019 under order dated 26.07.2019.

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, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-XVI-cum-A.C.J.M., Patna, in connection with Budha Colony P.S. Case No. 436/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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