

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29757 of 2022

Arising Out of PS. Case No.-163 Year-2022 Thana- PAROO District- Muzaffarpur

1. Raj Kishor Thakur S/o Jaymangal Thakur R/o Village - Mahjama, P.S. - Paroo, District - Muzaffarpur.
2. Sandeep Kumar S/o Ramnath Chaudhary R/o Village - Kajimohammadpur, P.S. - Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-08-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioners seek bail in a case registered for the
offences punishable under Sections 188, 147, 148, 149, 153,
153(A), 290, 295, 295(A), 120(B) of the Indian Penal Code read
with Section 67 of the Information Technology Act.

According to prosecution case, on the basis of written
statement of Rajendra Sah, Officer-in-Charge Paroo police
station stating therein that on 10.04.2022 on the occasion of
Ram Navami on the application of one Rishabh Kumar



permission was granted for procession of Ram Navami by the competent authority and the same was issued with the applicants and other named participants. On the next morning, he came to know about a viral video on social media of Mohjama Panchayat in which he found that many persons in the procession were carrying saffron flag, lathi, sword and one of the members of procession was being instigated by the others to put a saffron flag on the gate of the mosque and after seeing this viral video, he visited the place of occurrence and he found that it was for the incident of 10.04.2022 during the procession of which Rishabh Kumar and others were granted license and in the name of procession, the mob had tried to cause un-rest and religious enmity between the communities. On the basis of the said viral video a number of persons were identified and among them, four petitioners namely, Vikash Kumar, Raj Kishore Thakur, Siddhu Kumar and Sandeep Kumar and many others were identified.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case on the basis of viral video. He further submits that during investigation nothing has come against these petitioners except the show called viral video. He



further submits that the police after investigation submitted the charge sheet against these petitioners. The petitioners are in custody since 12.04.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Paroo P.S. Case No. 163 of 2022, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court



below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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