

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50125 of 2022

Arising Out of PS. Case No.-562 Year-2022 Thana- DANAPUR District- Patna

PANKAJ KUMAR S/O JOG LAL RAI Resident of village- Hathi Tola, P.S.
and P.O.- Maner, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and Mr.
Jitendra Kumar Singh, learned APP who represents the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Danapur P.S. Case No. 562 of 2022 for the offences under
Sections 147, 148, 149, 341, 323, 353, 188, 427, 504, 506, 290,
120(b) of the Indian Penal Code and Section 3 and 4 of
Prevention of Damage to Public Property Act.

As per the prosecution story, the informant alleged
that earlier the boys sought permission and despite denial later
they took of procession from Sainik Chowk to Danapur Station.
As a matter of precaution, Section 144 of the Cr.P.C. was
imposed and the Magistrate along with the heavy police force



were deputed but around 200 protestors gathered in Barik Maidan and despite the request of the police to disperse, the same was not done and after making unlawful assembly, kept on moving armed variously with wooden and iron rods. Later, they moved from Saguna More to Khagaul and in the process damaged everything that came their way including the public properties. As they reached Danapur Station, they also tried to put the Station on fire. Accordingly, the FIR was lodged and around 14 students were apprehended.

Learned counsel for the petitioner submits that the petitioner is 20 years of age, is a student and had nothing to deal with the said protest but only on the basis of suspicion, he was picked up and there is no specific allegation against him of damaging Danapur Railway Station and is in custody since 17.6.2022 (as stated in para-11 of the bail application) and further do not have any criminal antecedent, this Court is inclined to grant him privilege of bail with strict conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. 1st, Danapur, Patna, in connection with Danapur P.S. Case No. 562 of 2022, subject to the following conditions :-



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash/Ajay/-

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