

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50469 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- KIUL RAIL P.S. District- Lakhisarai

SURAJ KUMAR Son of Ashok Kumar Vishwakarma Resident of Village -
Itahari , Ward no.14, P.s.- Kiul, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and the
learned APP for the State through virtual mode in view of
COVID-19.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Kiul Rail P.S. Case No.68 of 2022 instituted under Sections
147, 148, 149, 353, 436, 457, 411, 302, 427 of the IPC and
under Sections 150, 151, 152, 145, 146, 147, 174(A) of Railway
Act.

As per the prosecution story, the Station Master
alleged that opposing the ‘Agniveer’ Project of Government of
India, the students took out procession, 500 of them marched
towards Lakhisarai Station and resorted to violence, ransacked
the coaches and also torched the train which led to burning of 21



coaches of 12368 DN which was at that time at Platform No.2.

Accordingly, Kiul Rail P.S. Case No.68 of 2022 was lodged and the accused persons including the petitioner herein were taken into custody.

Learned counsel for the petitioner submits that he is a man of 24 years, an aspirant of different competitive exam and out of curiosity, he was there but may be on the basis of CCTV footage he has been picked up and in that way his future has become bleak.

Taking into account the aforesaid fact as also that he do not have any criminal antecedent, charge-sheet stand submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Kiul Rail P.S. Case No.68 of 2022 to the satisfaction of learned Railway Judicial Magistrate, Kiul (Lakhisarai), subject to 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 Narayan/
Ajay

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