

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51764 of 2022

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

Aman Kumar @ Aman Husain Son Of Javed Husain R/O Village- Janipur,
P.S.- Janipur, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Yadav, Adv

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-12-2022 Let the defects, if any, be removed within four weeks
from today.

Heard Mr. Ganesh Prasad, learned counsel for the
petitioner and learned Additional Public Prosecutor for the State
through video conferencing.

Petitioner seeks bail in a case registered in connection
with Danapur P.S Case No. 562 of 2022 for the offences
punishable under Sections 147, 148, 149, 341, 323, 353, 188,
427, 504, 506, 290, 120B of the Indian Penal Code and $\frac{3}{4}$ of the
Public property Damage Act.

As per the prosecution case, instituted by the S.H.O ,
Danapur P.S , it is alleged that on 17.06.2022 at about 7.30
a.m altogether 200 protesters gathered in the Barik Maidan,
having seen the huge assemblage of persons, the prohibition



order under section 144 of the Cr.P.C issued by the Magistrate and the police force were distributed in sensational areas. However, the members of unlawful assembly armed with lathi, Danda started damaging the public property and assaulted the general public. It is also alleged that the co-accused persons also put Danapur Railway Station on fire. The petitioner and 13 other accused persons were apprehended by the police.

Learned counsel appearing on behalf of the petitioner submits that from the FIR, it is evident that no specific allegation has been levelled against the petitioner. The allegation against the petitioner and others are general and omnibus, who were said to have been participating in the protest. He next submitted that other co-accused persons having identical allegation have been allowed privilege of bail by the Hon'ble Court in Cr. Misc. No. 44898 of 2022 and Cr. Misc. No.52836 of 2022 respectively. He next submitted that the petitioner is in tender age having no criminal antecedent is in custody since 18.06.2022 and though the investigation of the crime is already complete and the charge sheet has been submitted.

On the other hand, learned counsel for the State vehemently opposed the bail application.

Regard being had to the nature of allegation and the



fact that other co-accused persons having identical allegation have already been allowed privilege of bail by the co-ordinate Bench of this Court and moreover, petitioner is in custody since 18.06.2022, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in connection with Danapur P.S Case no. 562 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

N.K/-

(Harish Kumar, J)

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