

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57959 of 2022

Arising Out of PS. Case No.-256 Year-2022 Thana- PALIGANJ District- Patna

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Sajeed Hussain @ Saddam, Son of Late Raghbir Hussain @ Ragid Hussain @
Rajeev Hussain, Resident of Mohalla - Moslim Mohalla Paliganj, P.S.-
Paliganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-12-2022 This petition has been taken up for out of turn hearing on a supplementary affidavit being moved on behalf of the petitioner that his 3rd Graduate Level Combined Competitive (P.T.) Examination-2022 is scheduled to be held on 24.12.2022 and the career of this petitioner would be jeopardized, if he would not be allowed to appear in the examination.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

In the present case, the petitioner seeks bail in connection with Paliganj P.S. Case No. 256 of 2022, registered for the alleged offences under Sections 147, 148, 149, 341, 342, 323, 504, 307, 326, 436, 353, 427, 337, 338, 332 and 333 of the



Indian Penal Code.

As per prosecution case, the petitioner and a large number of co-accused persons attacked the police party and damaged/destroyed the government property as well as private property causing a loss of approx Rs. 60 lacs of government property. The occurrence took place in the background of some agitation by the petitioner and other co-accused persons at the instigation of some coaching centers.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The police claims to have identified the petitioner on the basis of his photograph, but the photograph does not match with the case of the petitioner. The petitioner is not named in the FIR and he has been made an accused without any proper investigation. The petitioner was not protester and has nothing to do with the protest carried out by other co-accused persons. The petitioner is a student and is in custody since 25.06.2022. The charge sheet has been submitted in this case.

Learned A.P.P. opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he is



directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Paliganj, Patna, in connection with Paliganj P.S. Case No. 256 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

