

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58121 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- JEHANABAD RAIL P.S. District- Patna

Kishor Kumar Son of Sri Satish Kumar Resident of Village- Sahabad, P.S.-
Masaudhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
S.Tr. No. 1063 of 2022, arising out of Rail P.S. Jehanabad
(Taregana) Case No. 66 of 2022 lodged under Sections 147, 148,
149, 186, 447, 341, 323, 325, 307, 332, 333, 337, 338, 353, 380,
427, 435, 436, 506, 120B of the I.P.C. read with Section 3/4 of
Damage to Public Property Act and Section 27 of the Arms Act.

As per the prosecution case, the present F.I.R. has
been lodged against 1500 accused persons in total out of which
75 were named in which petitioner's name is figured in Serial
No.9. As per the social media information, the petitioner being
the student of Bihar called for protest against the Central

Government Scheme , Agniveer and protest with lathi-danda, country-made pistol on the station and also attacked on police GRP Railway counter and make loss to the Government properties.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Learned counsel submits that the entire case is false due to the reason that there were 3 cases lodged with same set of accused person, one at Masaurhi, second at Jehanabad(Taregana) and third is the present case which is not practically right. Learned counsel submits that there are series of offences added in which all offences are bailable except Sections 307 and 380 of the I.P.C. Learned counsel further submits that Arms Act is there but Arms has not been recovered from the possession of the petitioner. Learned counsel further submits that he is not a student and aged about 30 years, used to do agricultural work in his village and nothing to do with the Agriveer Yojana of the Government. Learned counsel submits that petitioner is in custody since 18.06.2022 having 2 criminal cases pending against him which is for the same date and place of occurrence. Save and except this case, there is a criminal antecedent of the petitioner. Learned counsel submits that the other co-accused of this case

have been granted bail by the Co-ordinate Bench of this Court in Cr. Misc. No. 57113 of 2022 order dated 09.11.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-XI, Patna in connection with S.Tr. No. 1063 of 2022, arising out of Rail P.S. Jehanabad (Taregana)Case No. 66 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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