

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2250 of 2023

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

Kanhaiya Kumar S/O Ganga Saw @ Ganga Sao R/O - By-Pass Chowk, Ward
No 17, P.S.- Kabaiya(Lakhisarai), Distt- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 353, 436, 456, 380, 411, 302, 427, of the Indian Penal Code and Sections 150, 151, 152, 145, 146, 147, 174(a) of Railway Act.

As per prosecution case, it is alleged that about 500-700 persons including this petitioner were doing protest against Agneeveer Scheme and during protest they damaged public property.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner was not involved in damaging the public property



rather he has falsely been implicated in this case only the basis of suspicion. It appears from FIR that there is no specific over-act has been alleged against the petitioner also he is not named in the FIR. He has got no criminal antecedent. Similarly situated co-accused namely Suraj Kumar has already been granted bail by a coordinate Bench of this Court vide order dated 09.12.2022 passed in Cr. Misc. No. 50200 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 18.06.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rail Kiul P.S. Case No. 68 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Magistrate, Kiul (Lakhisarai).

(Sunil Kumar Panwar, J)

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