

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9559 of 2023

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

RAHUL KUMAR S/O RAVINDRA PASWAN Resident of Village-
Nandachak, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner is in judicial custody in connection with Rail P.S. Jehanabad (Taregna) Case No.66 of 2022 instituted under Sections 147, 148, 149 186, 447, 341, 323, 325, 307, 332, 333, 337, 338, 353, 380, 427, 435, 436, 506, 120(B) of the Indian Penal Code ³/₄ Damage to Public Property Act & Sections 146, 147, 151, 153, 174 of the Railway Act and 27 of the Arms Act lodged on 18.06.2022 by the informant Ramadhar Sharma.

As per the FIR, the informant on 18.6.2022 in his written report alleged that as per Social Media Information students of Bihar called strike (Bihar band) to protest against the Central Government Scheme, Agniveer and for verification of the said information and necessary action the informant along



with police party was posted at Taregna railway station for law and order. The informant along with police party was on patrolling. In the meantime, at about 09 A.M on 16.6.22, more than 1500 persons along with sticks, lathi and pistols came on the station and started pelting stones targeting counters of the said station and police personnel and put on fire public and private vehicles and they also took away a sum of rupees 11,8000 from booking counter of the Railway Station, Taregna and also burnt public record of the station. Further allegation is that they assaulted police personnel causing injuries, 75 persons including petitioner were apprehended and rest succeeded to flee away. Accordingly the FIR.

It has been contended by learned counsel for the petitioner that he was a passer-by but was wrongly picked up and implicated in this case along with other accused persons and has already suffered by being in custody since last ten months.

Learned APP opposes the prayer.

Considering the aforesaid facts as also that he is in custody since 18.06.2022 (as stated in para-8 of the petition) and do not have criminal antecedent, this Court is inclined to extend him the 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 Rail Jehanabad P.S. (Taregna) Case No.66 of 2022 to the satisfaction of learned Addl. Sessions Judge-XI, Patna, 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.

(Rajiv Roy, J)

Prakash Narayan /-

U		T	
---	--	---	--

