

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10137 of 2023

Arising Out Of Ps. Case No.-460 Year-2022 Thana- Bettiah City District- West Champaran

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Vinay Padit @ Vinay Pandit Son Of Sri Vinod Padit @ Binod Padit R/O
Village- Jamuniya, P.S.- Jogapatti (Shanichari), District- West Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Singh No.1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
11.08.2022 in connection with Bettiah Town (Kalibag) P.S. Case
No. 460 of 2022, F.I.R. dated 18.06.2022 for the offences
punishable under Sections 147, 148, 149, 341, 323, 338, 395,
427, 435, 412, 120(B), 504, 506 of the Indian Penal Code.

The prosecution case, in short, is that on 18.06.2022
at about 09:05 A.M. the informant namely, Rina Rani submitted
written report before the S.H.O. of Kalibag O.P. alleging therein
that on 17.06.2022 at about 10 A.M. about 500 unknown anti-
social elements entered into her Petrol Pump, Saroj and Sons
Service Station, Chhawani, Bettiah, not only caused amage and
committed loot-pat, but tried to set the petrol pump ablaze
taking petrol from the sample box.



Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that around 500 unnamed persons entered and caused damage to the property of petrol pump, and committed loot-pat demonstrating their protest against the appointment of Agni Veer, a scheme brought by the Central Government. He further submits that on the basis of CCTV footage the name of the petitioner has been implicated in the present case and no incriminating article has been recovered from the possession of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner in custody since 11.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents of the similar nature other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection



with Bettiah Town (Kalibag) P.S. Case No. 460 of 2022, subject
to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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