

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11898 of 2023**

Arising Out of PS. Case No.-456 Year-2022 Thana- BETTIAH CITY District- West
Champaran

VINAY PADIT Son of Sri Vinod Padit R/v- Jamuniya, P.S.- Jogapatti
(Shanichari), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

**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 22.07.2022, in connection with Sessions Trial No. 964 of 2022 arising out of Bettiah Town P.S. Case No. 456 of 2022, F.I.R. dated 17.06.2022 registered for the offences punishable under Sections 143, 147, 148, 149, 341, 323, 353, 332, 333, 338, 435, 307, 427, 504, 120B, 395, 412 of the Indian Penal Code, Section 27 of the Arms Act, $\frac{3}{4}$ of the Prevention of Damage to Public Property Act, 1984.

The prosecution case, in short, is that on 17.06.2022 at about 07:30 A.M. the informant got a confidential information that some persons are breaking public and



government property and shouting slogan against Government and when the informant along with other police personnel proceeded at the place of occurrence and saw that approximately 500-700 people attacked on police force and began to go towards Ex-Deputy Chief Minister and drop the CCTV camera in shops and attacked the house of Ex-Deputy Chief Minister and damaged vehicles of legislative members and also loot-pat at the petrol pump.

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 there are 72 named persons and around 500-700 are unnamed persons. 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 articles have been recovered from the possession of the petitioner. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.07.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than



the present one but fairly submits on the basis of paragraph-3 of the petition that the petitioner is on bail in one case.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, West Champaran at Bettiah in connection with Sessions Trial No. 964 of 2022 arising out of Bettiah Town P.S. Case No. 456 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 witness, 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 antecedents, 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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