

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11339 of 2023

Arising Out of PS. Case No.-460 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Rohit Kumar @ Rohit Ram Son of Rameshwar Ram, Resident of- Bharwa
Tola Sirishiya OP, P.S., District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-05-2023 Heard Mr. Raghvendra Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Anand Kishore
Choudhary, learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail, who is in custody
in connection with Bettiah (T) P.S. Case No. 460 of 2022
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 338, 395, 427, 435, 412, 120B, 504 and 506 of
the Indian Penal Code.

Allegedly on 17.06.2022, a mob consisting of 500
people attacked on a petrol pump situated at Chhawni, Bettiah,
and thereafter committed loot and also tried to ignite the petrol
pump. It is further alleged that the protester/mob damaged the
dispenser unit of pump, CCTV cameras and other office
valuables, apart from loot of a cash of Rs. 6,35,000/-.



Learned counsel for the petitioner submits that the FIR has been instituted against 500 unknown persons and the petitioner only being student, has been implicated in this case without there being any allegation. He further submits that neither there is CCTV footage nor any eyewitness to the incidence. However, only on account of his being participated in protest of “Agniveer” scheme, the name of the petitioner has been implicated. He next submits that the petitioner is in custody since 17.06.2022. With regard to the similar occurrence, altogether four other cases have been instituted against unknown persons, wherein the name of the petitioner has also been remanded, besides the present one.

On the other hand, learned counsel for the State opposes the bail application

Regard being had to the submissions made on behalf of the parties and considering the fact of petitioner being student, coupled with the period of custody and the investigation of the crime is complete, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Bettiah (T) P.S. Case No. 460 of



2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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