

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26819 of 2023

Arising Out of PS. Case No.-153 Year-2022 Thana- KHARIK District- Bhagalpur

Munna Tiger @ Munna @ Munna Kumar Son Of Harilal Yadav Resident of
Village - Navtoliya Bishpuria, Police Station - Kharik, District - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
13.01.2023 in connection with Kharik P.S. Case No. 153 of
2022, F.I.R. dated 17.06.2022 for the offences punishable under
Sections 147, 148, 149, 341, 342, 329, 307, 436, 186, 188, 332,
333, 338, 353, 427, 504 of the Indian Penal Code.

The prosecution case, in short, the petitioner was
allegedly member of a mob which was armed with lathi and
danda and they were agitating against the Government Scheme
of Agnipath for recruitment in the Army. The mob damaged the
property of Railway and attacked the police party causing a
number of injuries to the police personnel. They damaged the
police vehicles and the police had to resort to firing in the air to



disperse the mob.

Learned counsel for the petitioner submits that the petitioner has clean and he has been falsely implicated in the present case. He further submits that petitioner is not named in the F.I.R. and it appears from the F.I.R. that there are 17 named persons and around 100-150 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 article has been recovered from the possession of the petitioner. He further submits that similarly situated co-accused namely, Nitesh Yadav @ Chandra Shekhar @ Nitish Yadav, Nandan Kumar and Santosh Kumar have been granted bail by a co-ordinate Bench of this Hon'ble Court vide order dated 23.12.2022 passed in Cr. Misc. No. 44785 of 2022, co-accused namely, Gobind Kumar @ Govind Kumar, Badal Kumar, Yadav Kumar @ Potia Kumar have been granted bail by a co-ordinate Bench of this Hon'ble Court vide orders dated 09.12.2022, 14.12.2022 and 29.03.2023 passed in Cr. Misc. No. 48624 of 2022, Cr. Misc. No. 49746 of 2022 and Cr. Misc. No. 70543 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner in custody since 13.01.2023.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Additional Chief Judicial Magistrate, Naugachia, Bhagalpur in connection with Kharik P.S. Case No. 153 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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