

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57922 of 2022

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

=====

CHHOTU KUMAR @ ABHIRAJ Son of Mukesh Singh @ Mukesh Kumar
Singh Resident of Kapoor Pakdi, Ward No.-13, P.S.- Dhaka, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 143, 147, 148, 149, 341, 323, 353, 332,
333, 338, 435, 307, 427, 504, 120(B), 395 and 412 of the Indian
Penal Code and Section 27 of the Arms Act and under Sections 3
and 4 of Prevention of Damage to Public Property Act.

Allegedly, some persons, who are 500-700 in numbers,
are said to have been damaging the public property and setting
fire at Railway Station and on protest being made by the police,
they have attacked on the police and proceeded to go towards
Supria Cinema. The furious mob have also damaged the CCTV
camera in shops and damaged vehicles of V.I.Ps.

Learned counsel appearing for the petitioner submits



that the petitioner is innocent and has falsely been implicated in this case. He further submits that on the basis of cctv footage, name of this petitioner has surfaced in this case. He further submits that it appears from the F.I.R. that there is no specific allegation against the petitioner and prior to the present case, he has not been made accused in any case but soon after institution of present F.I.R., the petitioner has been made accused in four more cases as mention in paragraph-3 of the petition. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. He further submits that the petitioner has been remanded in this case on 28.07.2022 and since then he has been in custody.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Bettiah Town P.S. Case No. 456 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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)

brajesh/-

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

