

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61409 of 2023

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

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GUDDU KUMAR @ RAKESH KUMAR S/O PRAMOD YADAV R/O
KALI ASTHAN, BISHPURIA, P.S- NADI, DISTT.- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Nityanand

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kharik P.S. Case No. 153 of 2022 dated 17.06.2022 registered for the offences punishable u/ss 147, 148, 149, 341, 342, 323, 307, 436, 186, 188, 332, 333, 338, 353, 427 and 504 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons along with 100 to 150 unknown miscreants holding lathi and danda forming unlawful assembly are alleged to have made protest against *Agnipath* scheme for recruitment in



Army and started damaging property of railway. When police tried to stop them, they pelted stones on the police personnel and damaged police vehicles and caused hindrance in discharge of official duties of police. Police had to resort to firing in the air to disperse the mob.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 23.12.2023 passed in Cr. Misc. No. 44785 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.06.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Naugachia, Bhagalpur in connection with Kharik
P.S. Case No. 153 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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