

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67927 of 2022

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

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Nawnit Kumar @ Nawnit Kumar Bhatt @ Nawneet Kumar @ Nawneet Ku-
mar Bhatt Son of Ravibhushan Sharma R/o- Dudha Mathiya, P.S.- Ma-
jhauliya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-02-2023 Heard learned counsel appearing on behalf of the pe-
titioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Bettiah
Town P.S. Case No.456 of 2022 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,
Section 27 of the Arms Act and Sections 3 and 4 of the Preven-
tion of Damage to Public Property Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.07.2022.

The allegation against the petitioner is to demonstrate
alongwith 72 named and 500-700 unknown demonstrators hav-
ing armed with lathi, rod, iron pipe and also to damage the prop-



erty of railway station, burning the engine of train and also to damage private vehicles and to misbehave with public shopkeepers. It is also alleged to pelting stones upon Government vehicles and also to burn them, while lodging his protest against implementation of *Agniveer* and *Agnipath* mode of recruitment in Indian Army.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in this case. It is submitted that no specific overt act attributed to this petitioner and allegation is appearing very much general and omnibus against this petitioner. It is also submitted that similarly situated co-accused, namely, Anand Kumar has already been granted bail by one the learned Co-ordinate Bench of this Court through Cr. Misc. No. 55860 of 2022 vide order dated 16.12.2022. While concluding the argument, it is submitted that petitioner found involved in five more cases, but was made accused in all those cases out of same occurrence and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.



In view of the facts and circumstances as mentioned above and as allegation against this petitioner is appearing very much general and omnibus without specifying any overt act coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Bettiah Town P.S. Case No.456 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champaran, Bettiah/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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