

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68925 of 2022

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

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Raj Kishor Kumar S/O Chandar Ram @ Chanar Ram Resident of village-
Ojha Barwa, P.S.- Sanichari, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 143, 147, 148, 149, 341, 323,
353, 332, 333, 338, 435, 436, 307, 427, 504, 120(B), 395, 412 of
the Indian Penal Code, Section 27 of the Arms Act and Section ¾
of the Prevention of Damage to the Public Property Act.

The prosecution case, in short, is that on 17.06.2022 at
about 07:00 A.M. the informant got a confidential information
that some persons are breaking public property and set fire at
Railway Station and when the informant along with other police
personnel proceeded at the place of occurrence and saw that
approximately 500-700 people attacked on police force and
began to go towards Supria Cinema Road and drop the CCTV



camera in shops and attacked the house of Deputy Chief Minister Renu Devi and damaged vehicles of legislative members Vinay Bihari.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that there are 72 named persons and around 500-700 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 due to the same occurrence the petitioner has been falsely implicated in another four cases of similar nature. He further submits that the petitioner was remanded in the present case on 02.08.2022.

Learned APP 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 in which he is on bail in all the cases.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees 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 (T) 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 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 witness, 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 antecedents, 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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