

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68779 of 2022

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

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Akram Raza @ Akram Rajjak @ Akrai Rajjak @ Ekram Raza, aged about 21 years, Male, Son Of Sajjad Alam @ Md. Sajjad Hussain R/O Vill.- Sathi, Belwa, P.S.- Sathi, Distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate
For the State : Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-03-2023 This matter has been taken up today for consideration through video conferencing.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Bettiah Town P.S. Case No. 456/2022 registered for the offence punishable 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 (*for brevity 'IPC'*), Section 27 of the Arms Act and Section 3/ 4 of Prevention of Damage to Public Property Act, 1984.

There is an allegation that 72 named and 500 to 700 unnamed persons resorted to violent protest setting fire at Railway Station. They have allegedly damaged public property in the process and also indulged in arson.

Learned counsel for the petitioner submits that petitioner is FIR named accused. There is no material to connect the



petitioner with the allegations. The petitioner has been implicated in four cases on the same date arising out of similar incident of alleged violent demonstration/protest against some Government related employment scheme. The petitioner is stated to be in custody in connection with this case since 22.06.2022. The petitioner has become a victim of the circumstance. Investigation is complete. Other co-accused persons, namely Chhotu Kumar @ Abhiraj has been granted bail in Cr. Misc. No. 57922 of 2022.

Learned APP has opposed the prayer for bail. It is alleged that persons in the mob were also found to be having weapons. Damage has been caused to public property and general public order.

Considering the rival submissions, nature of allegations and the period of custody, also taking into consideration the fact that investigation is complete, this Court is inclined to allow the prayer for bail of the petitioner.

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 CJM, West Champaran at Bettiah, in connection with Bettiah Town P.S. Case No. 456/2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the



petitioner.

(ii)That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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