

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69670 of 2022

Arising Out of PS. Case No.-457 Year-2022 Thana- BETTIAH CITY District- West
Champaran

-
1. Arvind Kumar, aged about 22 years, Male Son Of Sri Rajendra Yadav R/O Village- Baldiha, P.S.- Jogapatti (NAWALPUR), District- West Champaran
 2. Manohar Yadav, aged about 19 years, Male, Son Of Sri Sikandar Yadav R/O Village- Baldiha, P.S.- Jogapatti (nawalpur), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-01-2023 Heard learned counsel for the petitioners and learned APP for the State.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in connection with Bettiah Town P.S. Case No. 457 of 2022 registered 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 and 27 of the Arms Act and $\frac{3}{4}$ Prevention of Damage to Public Property Act.

There is an allegation that 72 named and 500 to 700 unnamed persons resorted to violent protest upon the house of an Hon'ble



Member of Parliament. They have allegedly damaged public property in the process and also indulged in arson.

Learned counsel for the petitioners are not named accused and have been implicated only suspicion. There is no material to connect the petitioners with the allegations. The petitioners have been implicated in two cases on the same date arising out of similar incident of alleged violent demonstration/protest against some Government related employment scheme. The petitioners have been remanded in this case on 23.07.2022. In fact, they are students and have become victim of the circumstance. Investigation is complete.

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 petitioners are stated to be a students, this Court is inclined to allow the prayer for bail of the petitioners.

Prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bettiah Town P.S. Case No. 457 of 2022, subject to the following conditions:-



- (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.
- (ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Sumit/shashank-

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

