

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73410 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- SUGAULI RAIL P.S. District- West
Champaran

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PAWAN KUMAR TIWARI S/o Jitendra Tiwari R/o Village- Bishunpurwa,
Maldi, Ward no. 9, P.S.- Shikarpur, Distt- 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
For the Opposite Party/s : Mr. Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 353, 337, 338, 435, 379, 427 of the IPC and Section 150, 151, 153, 74(A) of the Railway Act and Section 3, 4 of the Prevention of Damage to Public Property Act.

Prosecution case relates to damaging of the public properties in protest of *Agnipathh Sena Bahali*.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The FIR has been lodged against 700-1000 persons. Neither the petitioner was arrested on



spot nor anything has been recovered from his conscious possession. There is general and omnibus allegation against the petitioner. Moreover, co-accused namely, Abhijit Kumar has already been granted bail by this Court vide order dated 3.2.2023 passed in Cr. Misc. No. 59539. It is further submitted that the petitioner is languishing in judicial custody since 15.7.202.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sugauli Rail P.S. Case No. 32 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Magistrate, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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