

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72752 of 2022

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

=====

SHUBHASH KUMAR Son of Suresh Sah R/v- Laukariya, Muraghi, Ward
No. 2, P.S.- Bairiya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with
CRIMINAL MISCELLANEOUS No. 73932 of 2022

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

=====

Kinu Kumar Son Of Jugeshar Yadav @ Jugeshvar Yadav R/O- Chaumukha,
P.S.- Yogapatti, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 72752 of 2022)

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr.Rina Sinha

(In CRIMINAL MISCELLANEOUS No. 73932 of 2022)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Shyameshwar Dayal

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 143, 147,
148 ,149, 341, 323, 353, 332, 333, 338, 435, 307, 427, 504,
120B, 395, 412 of the Indian Penal Code, Section 27 of the
Arms Act and Section 3/4 of Prevention of Damage to Public



Property Act.

As per prosecution case, it is alleged that about 500-700 persons including the petitioners were doing protest against scheme of Agniveer and during protest they damaged public property.

Learned counsel for the petitioners submits that the petitioner is innocent and has committed no offence. The petitioners were not involved in damaging the public property rather they have falsely been implicated in this case only on the basis of suspicion. It appears from prosecution story that there is no specific overt-act has been alleged against the petitioners and entire allegations are leveled in omnibus manner. It is further submitted that the petitioners are languishing in judicial custody since 22.6.2022.

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 as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are 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/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

Amandeep/-

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

