

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75283 of 2022

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

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Sachin Kumar S/O Adya Yadav @ Adeya Yadav R/O Village- Chaumukha,
P.S- Yogapatti, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-03-2023 Heard Mr. Arvind Kumar, learned Counsel appearing
on behalf of the petitioner and Mr. Choubey Jawahar, learned
A.P.P. appearing on behalf of the State.

2. Petitioners who are in custody since 20.06.2022
seek regular bail in connection with Bettiah(T), P.S. Case No.
456 of 2022, registered for offence punishable under Sections
143, 147, 148, 149, 341, 323, 353, 332, 333, 338, 435, 307, 427,
504, 120(B), 395, 412 of the Indian Penal Code, Section 27
Arms Act and Section 3 / 4 of the Prevention of Damage to
Public Property Act.

3. The prosecution case in brief is that 500-700
demonstrators variously armed with weapons started damaging
and burning the engine of the train as well as private vehicle and
they started pelting stones and attempt to burn the government



vehicles in retaliation of implementation in opposition of a government scheme for Agniveer and Agnipath.

4. Learned Counsel appearing on behalf of the petitioner submitted that petitioner is not named in the F.I.R. and there is no direct allegation of assault has been levelled against the the petitioner. The petitioner is in custody since 20.06.2022. He further submitted that similarly situated co-accused have already been released on bail by a co-ordinate Bench of this Court on 30.11.2022 passed in Cr. Miscellaneous No. 55032 of 2022.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer of grant to the petitioner.

6. Considering the nature of allegation made in the F.I.R. the petitioner is not named in the F.I.R. there is general and omnibus allegation against the petitioner, prima facie the petitioner has made out a case to be released on bail.

7. 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (T) P.S Case No. 456 of 2022, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Purnendu Singh, J)

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