

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26189 of 2024

Arising Out of PS. Case No.-771 Year-2022 Thana- MUFFASIL District- West Champaran

Chandan Singh S/O Ramakbal Singh @ Ramekbal Singh, R/O Village-
Barwat Sena, P.S- Bettiah Muffasil, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2024 Heard Mr. Sanjeev Kumar, the learned counsel for
the petitioner and Mr. Jai Narain Thakur, the learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bettiah Muffasil PS Case No. 771 of 2022, FIR
dated 08.09.2022, registered for the offences punishable under
Sections 147, 149, 342, 341, 353, 427 and 435 of the Indian Penal
Code.

3. According to the prosecution case, the accused
persons namely, Sudarshan Bhagat and Chandan Singh sought
permission for arranging a peaceful protest, however, at their
instance, a mob of about five hundred people was arranged at
Pipra Chowk and they blocked the NH-727 for about four hours,
causing serious inconvenience to people and automobile traffic.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and as per allegation in the FIR the petitioner and co-accused persons were protesting the inclusion of certain villages in Bettiah Municipal Corporation and unexpectedly, other persons blocked the road and on the basis of CCTV footage, the petitioner has identified that he was leading the protest march. He lastly submits that there is no specific allegation of any assault or overt act attributed against the petitioner, rather there is general and omnibus allegation against all the accused persons that they have blocked the road.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and there is no specific allegation that he has blocked the road, let the petitioner, above-named, in the event of his arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Chief Judicial Magistrate, Bettiah, West Champaran/Successor Court, where the case is



pending in connection with **Bettiah Muffasil PS Case No. 771 of 2022**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

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

(iii). And further condition that the trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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