

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37874 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- CIVIL LINE District- Gaya

1. Kundal Verma, aged about 54 years, Male, son of Tetar Prasad, resident of village- Bali, Post- Adaimath, P.S.- Konch, District- Gaya,
2. Dhananjay Kumar, aged about 45 years, Male, son of Ramashish Sharma, resident of village- Bhusunda, P.S.- Muffasil, District- Gaya
3. Krishna Kumar, aged about 53 years, Male, son of Devnandan Singh, resident of village- Dakhner, P.S.- Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Civil Lines PS Case No.257 of 2023 dated 13.04.2023,
instituted under Sections 147, 149, 420, 467, 468, 471, 456, 427
and 379 of the Indian Penal Code.

3. The prosecution story, in short, is that the
informant, who is a Revenue Officer, got a video and
photograph on his mobile from the SDO, Gaya, from which he
came to know that on the alleged date of occurrence boundary
wall of Government High School i.e. +2 Haranchand High



School, Gaya, was being damaged with JCB Machine by the accused persons. Upon which, the informant along with police personnel from Civil Lines PS reached at the place of occurrence and found some part of the boundary wall and gate was demolished; six tractors were found engaged in filling soil on the land of the school. The driver of the tractors were apprehended, who disclosed that accused Rajiv Ranjan Chaudhary is the owner of the said land, who executed deed of agreement in favour of accused Jitendra Pratap Singh and others. It is also alleged in the FIR that all the accused persons were engaged in damaging boundary wall of government school with the help of JCB Machine and they were trying forcibly to take possession of the government lands.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is also submitted that the petitioners are not named in the FIR. Petitioners' name surfaced during investigation. Further submission is that similarly situated co-accused have been granted bail by this Court as well as different co-ordinate Benches of this Court vide Annexure-P/2 series. Lastly, it is submitted that one criminal case is pending against the petitioner no.1 in which he is on bail and petitioner no.3 was



accused in one criminal case in which he has been acquitted, whereas, petitioner no.2 has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gaya, in Civil Lines PS Case No.257 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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