

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53471 of 2025

Arising Out of PS. Case No.-168 Year-2022 Thana- KHAGAUL District- Patna

Vikash Kumar S/o Nawal Ray R/o Village- Tata Colony, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-08-2025 Heard Mr.Ashok Kumar Singh, learned counsel for the petitioner and Mr.Ram Priya Sharan Singh, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Khagaul P.S. Case No. 168 of 2022, F.I.R. dated 17.06.2022 for the offences punishable under Sections 147, 148, 149, 341, 323, 332, 333, 353, 427, 307, 120(B), 337, 338, 506 of Indian Penal Code and Section 3/4 of Damage of Public Property Act.

3. As per the First Information Report, the informant alleged that the petitioner was member of mob who was protesting against the government against the Agnipath Scheme. It further alleged that after sometime the protesters in aggressive manner started damaging the vehicles present there and they



vandalized the police vehicle and set private vehicles on fire. They threw bricks and stones on the police force due to which the police personnel got severe injuries.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Vikki Kumar and present case is related to Agnipath Scheme and there is specific allegation against the petitioner and other co-accused persons that he alongwith other co-accused persons have participated in the protest and some of co-accused persons have damaged the public property and similarly situated co-accused persons, namely, Manish Kuamr @ Chuha and Anr. have been granted privilege of anticipatory bail by this Court vide order dated 29.07.2025 passed in Cr. Misc. No.50387 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on the basis



of the confessional statement of co-accused person, there is no specific allegation against the petitioner as alleged in the FIR and similarly situated co-accused persons, namely, Manish Kuamr @ Chuha and Anr. have been granted privilege of anticipatory bail by this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Additional Chief Judicial Magistrate-V, Danapur, Patna in connection with Khagaul P.S. Case No. 168 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482 (2) of the BNSS, 2023 and with other following conditions:-

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

(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 court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below 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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