

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55032 of 2022**

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

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Imam Hussain @ Amam Hussain S/o Abdul Hakim Ansari R/o Village- Navgawan, Bakuchiya, P.S.- Yogapatti, Distt- West Champaran, Bihar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Aslam Ansari, Adv.
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 30-11-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Bettiah Town P.S. Case No. 456 of 2022 lodged under Sections 143, 147, 148, 149, 341, 323, 353, 332, 333, 338, 435, 307, 427, 504, 120(B), 395, 412 of the I.P.C. read with Section 27 of the Arms Act and Section 3/4 of Prevention of Damage to Public Property Act, 1984.

As per the prosecution case, 500-700 demonstrators armed with *lathi*, rod, iron pipe went towards Railway Station and started damaging, loot and burning in the engine of train as

well as damage the private vehicles and also committed misbehave with public shop keepers and other officials by way of pelting stones and attempt to burn the Government vehicles in retaliation of implementation in opposition of a Government Scheme for *Agniveer* and *Agnipath*.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel submits that he is a regular medical student of B.U.M.S. (medical student of second year in a hospital situated in East Champaran in session 2019-2023). Counsel submits that he was working as a Medical Staff of New Maxx Hospital, Trauma Center and in summer holidays, he was on leave. In this regard, concerned authorities also issued a certificate. Counsel submits that save and except the present case and there is only one case pending against him in which he is persuading for bail relating to same *Agniveer* matter. Counsel submits that petitioner is in judicial custody since 24.06.2022, charge sheet has already been filed in this case. Counsel submits that petitioner is ready to abide by all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail and submits that the petitioner is accused under prevention

of Damage of Public Property, 1984. In response thereafter, counsel for petitioner submits that he is ready to compensate if he shall be found involve in damaging the public property.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Bettiah West Champaran in connection with Bettiah P.S. Case No. 456 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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