

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.150 of 2020

Arising Out of PS. Case No.-90 Year-2019 Thana- BALTHAR District- West Champaran

1. Dhurendra Patel, aged about 55 years, Male, Son of Late Haridwar Patel
2. Suresh Patel @ Suresh Raut, aged about 50 years, Male, Son of Late Bachacha Patel
3. Hoshila Patel, aged about 45 years, Male, Son of Bishun Patel
4. Omprakash Patel, aged about 35 years, Male, Son of Sri Harindra Patel
5. Nanhe Patel, aged about 25 years, Male, Son of Sri Hoshila Patel
6. Achhelal Patel, aged about 52 years, Male, Son of Late Jhakkad Patel
7. Rambhu Sharma, aged about 45 years, Male, Son of Keshav Thakur
8. Harishankar Paswan, aged about 40 years, Male, Son of Sri Khublal Paswan
9. Binod Paswan, aged about 36 years, Male, Son of Sri Khublal Paswan
10. Sunil Ram, aged about 35 years, Male, Son of Late Jitlal Ram
11. Fagu Thakur, aged about 58 years, Male, Son of Late Dahari Thakur
12. Sanjay Patel, aged about 39 years, Male, Son of Sri Jainarayan Patel, all residents of Village - Purainiya, P.S.- Balthar, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Balthar P.S. Case No. 90 of 2019 registered for the offences punishable under Sections 147, 149, 341, 342, 323, 353, 504, 506 of the Indian Penal Code.



According to the F.I.R., on 22.10.2019 at about 4:00 P.M., during course of patrolling duty in Purainiya Chowk, the informant received an information that one driver of accidental vehicle and two other persons were in hostage in the house of Hosila Patel and are being assaulted by villagers. Then the informant along with police party reached there and tried to pacify the matter and requested to release the said persons. Then the villagers along with all the accused-petitioners refused to set free to the persons and started scuffling with police party. After that with the help of punches the apprehended persons were got set free to the hostages. The informant lodged an F.I.R. against identified persons.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have committed no offence and have falsely been implicated in this case due to police mechanism. He further submits that the petitioners have got no criminal history. Learned counsel for the petitioners further submits that the petitioners have filed Balthar P.S. Case No.89 of 2019. Thereafter, the present P.S. case has been lodged. There is no allegation of overt act against the petitioners.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of



arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-V, West Champaran at Bettiah in connection with Balthar P.S. Case No. 90 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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