

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38275 of 2021

Arising Out of PS. Case No.-107 Year-2021 Thana- HARSIDHI District- East Champaran

1. Bipin Bihari Gupta @ Vipin Bihari Prasad S/O Late Rameshwar Gupta R/o village- Matiyariya
2. Sanjay Kumar S/o Jogi Ram R/o village- Matiyariya, Both P.S.- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners seek bail in connection Harsidhi P.S. Case no. 107 of 2021 registered for the offence punishable under sections 147, 148, 149, 120B, 151, 152, 186, 341, 323, 324, 307, 353, 332, 333, 431, 427, 435, 337, 504, 506 of the Indian Penal Code read with section 27 of the Arms Act and section 3/ 4 of Damage to Public Property Act.

Learned counsel for the petitioners submits that petitioners are in custody since 17.3.2021, are persons with clean antecedent and charge sheet has been submitted. Learned counsel further submits that as per prosecution case, 166 FIR



named accused including the petitioners and 800 unknown persons are alleged to have made fatal assault on the police, created disturbance in discharge of official duty, burnt bike and tried to snatch arms of police personnel. It is further alleged that they also assaulted police personnel with Lathi, Danta, Bhala, and Garasa and also made firing. Learned counsel submits that allegations are general and omnibus in nature and no specific overt-act has been alleged against the petitioners and co-accused Pramod Kumar Shukul and Bablu Kumar have been granted bail by order dated 22.10.2021 in Cr. Misc. no. 41436/2021.

Learned APP opposes the prayer for bail.

Considering the facts that petitioners are in jail custody, are persons with clean antecedent and charge sheet has been submitted and co-accused have been granted bail, the petitioners are directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari in Harsidhi P.S. Case no. 107 of 2021.

(Satyavrat Verma, J)

s.hassan/-

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