

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50867 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- BALTHAR District- West Champaran

1. KANHAIYA SAH @ SACHITANANAD SAH S/o Rudal Sah R/o Village-Balthar, P.S.- Balthar, Distt.- West Champaran
2. URMILA DEVI W/o Kanhaiya Sah @ Sachitanand Sah R/o Village-Balthar, P.S.- Balthar, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-11-2022 This case has been listed today under the heading “To Be Mentioned” on the basis of mentioning slip of learned counsel for the petitioners.

Heard the parties.

Learned counsel for the petitioners is directed to remove the defects as pointed out by the office within four weeks.

Learned counsel for the petitioners seeks permission to withdraw this application as against petitioner no.1, who has been apprehended by the police during pendency of this application.

Permission is granted.

Accordingly, the prayer for anticipatory bail made



through the instant application, on behalf of the petitioner no.1 is dismissed as withdrawn.

Now, it is being heard for consideration of bail against petitioner no.2.

The petitioner apprehends her arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 342, 323, 324, 325, 326, 332, 333, 307, 337, 338, 379, 380, 427, 353, 447, 448, 452, 302, 395, 186, 188, 201, 504, 506, 120B of the IPC and section 27 of Arms Act and later on section 436 IPC was added.

Allegedly, all the 357 FIR named accused persons including the petitioner and 100s of unknown persons entered into the premises of police station and set the government vehicles on fire. They attacked the police vehicles and were raising slogans to kill the police officials. It is further alleged that they attacked the members of police party due to which some got seriously injured and one Havaldar was shot dead on the spot.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case due to police mechanism. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is



not specific rather general and omnibus in nature. It is further submitted that petitioner is a lady and was only a member of unlawful assembly.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner no.2, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Balthar P.S. Case No.42 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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