

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52033 of 2022

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

1. RAHUL KUMAR Son of Lalan Sah Resident of Village - Balthar, P.S.- Balthar, Distt.- West Champaran
2. Gambhir Kumar Son of Rajdev Sah Resident of Village - Balthar, P.S.- Balthar, Distt.- West Champaran
3. Sonu Kumar @ Sonu Sah Son of Rameshwar Sah Resident of Village - Balthar, P.S.- Balthar, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 52538 of 2022

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

1. VISHNU KUMAR S/o Ramji Ram Resident of Village- Arya Nagar Balthar, P.S.- Balthar, Distt- West Champaran.
2. Krishna Ram S/o Ramji Ram Resident of Village- Arya Nagar Balthar, P.S.- Balthar, Distt- West Champaran.
3. Ramji Ram S/o Gena Ram Resident of Village- Arya Nagar Balthar, P.S.- Balthar, Distt- West Champaran.
4. Musafir Ram S/o Manam Ram Resident of Village- Arya Nagar Balthar, P.S.- Balthar, Distt- West Champaran.
5. Sharda Devi W/o Ramji Ram Resident of Village- Arya Nagar Balthar, P.S.- Balthar, Distt- West Champaran.
6. Champa Devi W/o Musafir Ram Resident of Village- Arya Nagar Balthar, P.S.- Balthar, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 52033 of 2022)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Jitendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 52538 of 2022)

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Zainul Abedin



CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 379 and allied sections of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that none of the offences as alleged in the FIR are made out against the petitioners. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 29.11.2022 passed in Cr. Misc. No. 42801/2022. He further submits that petitioners in Cr. Misc No. 52033/2022 have no criminal antecedent and petitioner no.3, 4 & 5 in Cr. Misc No. 52538/2022 have no criminal antecedent but petitioner no.1, 2 and 6 of Cr. Misc No. 52538/2022 have one criminal antecedent as stated in para-3 of this application.



Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each 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. 42/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

