

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8729 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- INARWA District- West Champaran

1. JATASHANKAR PRASAD @ JATASHANKAR PRASAD KUSHWAHA
Son of Sri Prasad Kushwaha R/O Village - Inarwa, P.S.- Inarwa, District -
West Champaran.
2. Noorhoda Gaddi @ Noor Hoda Gaddi Wife of Tej Gaddi R/O Village -
Inarwa, P.S.- Inarwa, District - West Champaran.
3. Prem Prasad @ Prem Sah @ Prem Kumar Prasad Son of Late Laxmi Sah
R/O Village - Inarwa, P.S.- Inarwa, District - West Champaran.
4. Suresh Gaddi Son of Gajar Gaddi R/O Village - Inarwa, P.S.- Inarwa,
District - West Champaran.
5. Alihat Gaddi @ Alihak Gaddi @ Alikah Maiyan Son of Sonarayan Gaddi
R/O Village - Inarwa, P.S.- Inarwa, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Binod Kumar, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioners and the

State.

Petitioners apprehend their arrest in a case registered
for the offence punishable under sections 147, 148, 149, 341,
323, 307, 353, 332, 333, 337, 338, 379, 427, 414 of the Indian
Penal Code.

As per the prosecution case, the informant got secret
information that a tractor loaded with betel nuts coming from
Nepal for black marketing and when the informant intercepted



the tractor 41 named and 150 unknown persons attacked the police party with bricks, stones and bamboos. Thereafter, police recovered 130 gunny bags and 100 cartoons but all the accused persons fled away.

It is submitted by the learned counsel for the petitioners that from the FIR, it is evident that specific allegation has been levelled against co-accused Sharoj Gaddi and Rustam Mian so far as the petitioners are concerned, there is general and omnibus allegation. During the course of investigation no other material has come against the petitioners. They are only alleged to be the members of mob. Similarly situated co-accused persons have already granted bail by this Court vide order dated 21.03.2023 in Cr. Misc. No. 70674 of 2022.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Bettiah, West Champaran in connection with Inarwa P.S. Case No 92 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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