

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13216 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- BALTHAR District- West Champaran

1. DHANILAL SAH Son of Late Khublal Sah Resident of Village - Aryanagar, P.S.- Balthar, Dist.- West Champaran.
2. Sunaina Devi Wife of Dhanilal Sah Resident of Village - Aryanagar, P.S.- Balthar, Dist.- West Champaran.
3. Rajkumar Sah Son of Dhanilal Sah Resident of Village - Aryanagar, P.S.- Balthar, Dist.- West Champaran.
4. Munnilal Sah Son of Late Khublal Sah Resident of Village - Aryanagar, P.S.- Balthar, Dist.- West Champaran.
5. Nejama Khatoon Wife of Shekh Ismail @ Sk. Ismaial Resident of Village - Aryanagar, P.S.- Balthar, Dist.- West Champaran.
6. Shekh Ismail @ Sk. Ismaial Son of Shekh Mukhtar Resident of Village - Aryanagar, P.S.- Balthar, Dist.- West Champaran.
7. Sunita Devi Wife of Kanhaiya Yadav @ Kanhaiya Yadav Resident of Village - Aryanagar, P.S.- Balthar, Dist.- West Champaran.
8. Sushila Devi Wife of Late Anirudh Yadav Resident of Village - Aryanagar, P.S.- Balthar, Dist.- West Champaran.
9. Mosmat Ashu @ Musmat Asho Wife of Late Rambalak Yadav Resident of Village - Aryanagar, P.S.- Balthar, Dist.- West Champaran.
10. Kanhaiya Yadav @ Kanhaiya Yadav Son of Late Rambalak Yadav Resident of Village - Aryanagar, P.S.- Balthar, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection
with Balthar P.S. Case No.44 of 2022, registered for the



offences punishable under Sections 147, 148, 149, 341, 323, 337, 338, 353, 186 and 188 of the Indian Penal Code.

As per FIR, 373 named persons including these petitioners and 100 unknown persons resorted to blockage of road and committed violence with the police party in protest of death of one person.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that no specific overt act is alleged against the petitioners. Learned counsel for the petitioners submits that similarly situated other co-accused persons have already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 06.12.2022, passed in Cr. Misc. No.46002 of 2022 and order dated 08.12.2022, passed in Cr. Misc. No.47506 of 2022 (Annexure-2 series).

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Taking into consideration the facts aforesaid, let petitioners, above named, 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Balthar P.S. Case No.44 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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