

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10750 of 2023**

Arising Out of PS. Case No.-89 Year-2011 Thana- BAGHA District- West Champaran

1. Mithilesh Prasad Son Of Shri Sah Prasad @ Shri Sah R/V- Narainanpur, P.S- Bagaha (Pathkhauli) Dist- West Champaran
2. Giri Sah @ Giri Prasad Son Of Shri Sah Prasad @ Shri Sah R/V- Narainanpur, P.S- Bagaha (Pathkhauli) Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      24-04-2023                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 149, 109, 323, 353, 337, 338, 332, 307, 435, 427, 504 of the Indian Penal Code and Section 3/4 of the Damage of Public Property Act.

As per FIR, petitioners along with other co-accused persons put hindrance during discharge of duties by the police personnel, made attack on them and they also damaged public property.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that the petitioners are the members of mob. He further submits that petitioners have no 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 bond 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 Bagaha (Pathkhauri) P.S. Case No. 89 of 2011, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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