

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18601 of 2023

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

Om Prakash Gupta @ Om Prakash Prasad Son Of Gauri Sah Resident Of
Village- Arayanagar, Ps- Balthar, Dist- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 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 and 120B of the Indian Penal Code and Section 27 of the Arms Act and later on Section 436 of the I.P.C. was also added in the present case which is pending in the learned court below.

As per the prosecution case, a mob of more than hundred villagers including the women and children armed with deadly weapons entered into the police station premises and tried to fled away with the D.J. van. When the police personnel protested then the mob became aggressive and started raising slogans and damaging the vehicle parked there and also attacked on the police personnel.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that similarly situated other co-accused person 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 petitioner has got one criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount 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)

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