

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20918 of 2023

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

OM PRAKASH GUPTA @ OM PRAKASH PRASAD Son of Gauri Sah
R/V- Aryanagar P.s- Balthar, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehend his arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 341,
323, 337, 338, 354, 186 and 188 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has antecedent of one case but then the said case is an
offshoot of an occurrence for which the present FIR has been
instituted. Learned counsel submits that as per FIR 373 named
persons including the petitioner and 100 unknown persons are
alleged to have blocked the road and committed violence with
the police party, it is further submitted that while protesting one
person succumbed to injuries.

Learned counsel further submits that petitioner has
been falsely implicated in the present case, it is next submitted



that from bare perusal of the allegation as alleged in the FIR it would manifest that the allegations are general and omnibus in nature and no specific overt act has been alleged against the petitioner, it is next submitted that similarly situated co-accused have been granted the privilege of anticipatory bail by order dated 06.12.2022 in Cr. Misc. No. 46002 of 2022.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Balthar P.S. Case No. 44 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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