

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20193 of 2023

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

1. DOMA SAH @ ACHHELAL SAH son of Kanman Sah Village- Aryanagar Ps- Balthar Dist- West Champaran
2. Prabhu Sah son of Kanman Sah Village- Aryanagar Ps- Balthar Dist- West Champaran
3. Sujeet Kumar Sah son of Prabhu Sah Village- Aryanagar Ps- Balthar Dist- West Champaran
4. Mahesh Kumar son of Virendra Sah Village- Aryanagar Ps- Balthar Dist- West Champaran
5. Kalawati Devi wife of Rambhu Sah Village- Aryanagar Ps- Balthar Dist- West Champaran
6. Chandrika Sah son of Prasad Sah Village- Aryanagar Ps- Balthar Dist- West Champaran
7. Virendra Sah son of Prasad Sah Village- Aryanagar Ps- Balthar Dist- West Champaran
8. Rahul Kumar son of RAMbhu Sah Village- Aryanagar Ps- 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. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their 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 petitioners submits that the petitioners have 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 petitioners 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 petitioners have 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 petitioners, 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 petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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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