

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21714 of 2023

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

1. SAGIR MIAN SON OF MANIF MIAN @ MANIF MIYA RESIDENT OF VILLAGE- ARYANAGAR, PS- BALTHAR, DISTT- WEST CHAMPARAN
2. MANIF MIAN @ MANIF MIYA SON OF LATE HISAB MIAN RESIDENT OF VILLAGE- ARYANAGAR, PS- BALTHAR, DISTT- 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. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2023 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, 342, 323, 324, 325, 326, 332, 333, 307, 337, 338, 379, 380, 427, 353, 447, 448, 452, 302, 395, 186, 188, 201, 504, 506, 120B, 436 of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleges that the mob entered the police station for releasing the D.J. Set seized by the police and when police tried to resist, the mob became violent and attacked the police station and damaged vehicles, CCTV, documents, set on



fire vehicles and even indulged in firing causing death of one Constable, Ramjatan Rai, while other police personnel sustained grievous injuries.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case but then the said antecedent also arises for the same occurrence for which the present FIR has been instituted.

Learned counsel for the petitioners next submits that petitioners have been falsely implicated in the present case, it is next submitted that the FIR has been instituted against 357 named accused persons with no specific allegation alleged against anyone, it is thus submitted that allegations are general and omnibus in nature and similarly situated co-accused have been granted the privilege of anticipatory bail by a learned Co-ordinate Bench of this Hon'ble Court by order dated 29.11.2022 in Cr. Misc. No. 42801 of 2022.

Learned counsel next submits that the petitioners will not abscond, rather, will cooperate in the investigation and will present themselves as and when required by the Investigating Officer for eliciting the truth.

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. 42 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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