

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24542 of 2023

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

Rambhu Sah S/O Late Kalaman Sah @ Late Kanman Sah R/O Village-
Aryanagar, P.S- Balthar, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of regular bail 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, 120(B) of the Indian Penal Code and Section 27 of the Arms Act. Later on, Section 436 of I.P.C. was added.

As per prosecution case, altogether 357 F.I.R. named accused persons including 100 unknown persons entered into the premises of police station and set government vehicle on fire. They attacked police party on account of which some got serious injury and one hawaldar died on the spot.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case only on the basis of suspicion. As per F.I.R., the name of



the petitioner has come in this case on the basis of unknown sources of police and such information has got no evidentiary value. It is further submitted that the petitioner is only the member of mob. There is no specific overt-act attributed against the petitioner. Similarly situated several accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 05.12.2022 passed in Cr. Misc. No.44899 of 2022, 44996 of 2022 and 45191 of 2022. Moreover, the petitioner is languishing in judicial custody since 21.07.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Balthar P.S. Case No. 42 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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