

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28175 of 2023

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

Jitendra Prasad @ Jitendra Sah Son of Late Jamdar Sah, Resident of Aryan
Nagar, PS- Balthar, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-07-2023 Heard learned counsel for the parties.

The petitioner seeks pre-arrest bail in connection with Balthar P.S.Case No.44/2022, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 337, 338, 353, 186 and 188 of the Indian Penal Code.

Prosecution story, in brief, is that as per the FIR, altogether 373 named accused persons including the petitioner resorted to block the road and committed violence with the police party in protest of death of one person.

The learned counsel appearing on behalf of the petitioner submits that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. The petitioner has no concern with the alleged occurrence. There is no specific allegation against the petitioner. He further submits that similarly situated co-accused persons have been granted bail by a co-ordinate bench of this Court, vide order dated 26.06.2023 passed in Cr. Misc. No.22085 of 2023

Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the nature of allegation made against the petitioner being general and omnibus in nature, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV-West Champara, Bettiah in connection with Balthar P.S.Case No.44/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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