

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27992 of 2023

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

1. Ugam Ram Son of Late Tulsi Ram
2. Dinesh Baitha Son of Bhuteli Baitha
3. Bhuteli Baitha Son of Anup Baitha
4. Jagrani Devi Wife of Bhuteli Baitha
All resident of Aryan Nagar, P.S.-Balthar, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate
Mr.Sumit Kumar, Advocate
For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-07-2023 Heard Mr. Brajesh Kumar Singh, learned counsel

appearing on behalf of the petitioners and the learned APP for

the State.

The petitioners seek 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 petitioners

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 petitioners submits that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners have no concern with the alleged occurrence. There is no specific allegation against the petitioners. 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 petitioners.

Considering the nature of allegation made against the petitioners in the FIR being general and omnibus in nature, the petitioners are directed to be released on pre-arrest bail, in the event of their 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) each 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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