

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44039 of 2023

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

1. Ugam Ram Son Of Late Tulsi Ram Resident Of Village And Ps- Balthar, District West Champaran
2. Dinesh Baitha Son Of Bhuteli Baitha Resident Of Village And Ps- Balthar, District West Champaran
3. Bhuteli Baitha Son Of Anup Baitha Resident Of Village And Ps- Balthar, District West Champaran
4. Jagrani Devi Wife Of Bhuteli Baitha Resident Of Village And Ps- Balthar, District 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. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Balthar P.S. Case No. 42 of 2022 dated 20.03.2022, instituted for the offence punishable under Sections 147, 148, 149, 341, 342, 324, 323, 325, 326, 332, 333, 307, 337, 338, 353, 379, 380, 427, 447, 448, 452, 302, 395, 186, 188, 201, 504, 506/120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution story, in short, is that, the petitioners along with 353 named accused persons and 100



unknown miscreants entered into the premises of police station and set the government vehicles on fire. They attacked the police vehicles and were raising slogans to kill the police officials. It is further alleged that they attacked the members of police party due to which some police personnel got serious injury and one Havaldar was shot dead at the spot.

4. Learned counsel for the petitioner submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is no specific allegation against the petitioners and only a list of accused persons are given in the FIR in which petitioners are named at Sl. No. 159, 120, 121, 122. Learned counsel further submitted that about 30 similarly situated other co-accused persons have been granted bail by different Benches of this Court *vide* Criminal Miscellaneous No. 42801 of 2022, Criminal Miscellaneous No. 45426 of 2022, Criminal Miscellaneous No. 45360 of 2022, Criminal Miscellaneous No. 46459 of 2022 on 29.11.2022. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Balthar P.S. Case No. 42 of 2022, they will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, West Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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