

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39439 of 2023

Arising Out of PS. Case No.-43 Year-2022 Thana- BALTHAR District- West Champaran

Harendra Sah, aged about 42 years, Gender- Male, Son of Kushahar Sah
Resident of Village + P.S. - Balthar, District - West Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Balthar P.S. Case No. 43 of 2022 dated 20.03.2022 instituted under Sections 147, 148, 149, 341, 323, 337, 338, 427, 435, 353, 307, 504, 120(B) and 436 of the Indian Penal Code.

3. As per the prosecution case, more than 1000 people attacked the police station and dismantled the articles therein. 51 persons have been named in the FIR including the petitioner.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence as alleged and he has been implicated in this case due to village politics. No one was injured in the said occurrence and the allegation against the petitioner is general and non-specific. He further submits that for the same occurrence, three cases have been lodged and other co-accused persons have been granted anticipatory bail by Co-ordinate Benches of this Court vide orders dated 08.12.2022, 17.03.2023 and 31.01.20223 in Cr. Misc. No. 50111 of 2022; Cr. Misc. No. 72050 of 2022 and Cr. Misc. No. 73526 of 2022 respectively. Learned counsel further submits that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, IV, West Champaran, Bettiah in Balthar P.S. Case No. 43 of 2022, subject to the conditions laid



down in Section 438(2) of the Code of Criminal Procedure,
1973.

(Sunil Dutta Mishra, J)

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