

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41006 of 2023

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

1. PANNALAL PATEL SON OF LATE RIKHA PATEL RESIDENT OF VILLAGE AND P.S. - BALTHAR, DISTRICT - WEST CHAMPARAN
2. KUNTI DEVI WIFE OF PANNALAL PATEL RESIDENT OF VILLAGE AND P.S. - BALTHAR, DISTRICT - WEST CHAMPARAN
3. SADHU KUMAR @ SURAJ KUMAR SON OF PANNALAL PATEL RESIDENT OF VILLAGE AND 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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 324, 325, 326, 332, 333, 337, 338, 379, 380, 427, 447, 448, 452, 302, 395, 186, 188, 201, 506 and 120B of the Indian Penal Code and under Section 27 of the Arms Act.
3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 2 is a woman.
4. The informant alleges that 357 named accused



persons came variously armed and attacked the police station on account of which several police personnel sustained injury and one constable namely Ram Jatan Rai died.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that allegation of assault is general and omnibus in nature and no specific allegation of committing any overt act is alleged against the petitioners. It is further submitted that similarly situated co-accused Rajendra Sah along with 3 others and Munna Prasad along with 7 others, Arbind Kumar along with 10 others and Prakash Kumar along with 6 others have been granted the privilege of anticipatory bail by order dated 29.11.2022 in Criminal Miscellaneous No. 42801 of 2022 along with other cases.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Balthar P.S. Case No. 42 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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