

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60676 of 2022

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

1. RAJENDRA SAH Son of Prasad Sah Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
2. Krishna Sah @ Krishna Kumar Son of Rajendra Sah Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
3. Shyam Kumar @ Shyam Sah Son of Rajendra Sah Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
4. Nandlal Ram Son of Ramfal Ram Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
5. Seema Devi Wife of Ramayan Ram Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
6. Umesh Ram Son of Bunilal Ram Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
7. Malti Devi Wife of Umesh Ram Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
8. Jainool @ Jainool Sheikh Son of Late Jalil Sheikh Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
9. Akhileshwar Prasad @ Akhilesh Sah Son of Lalu Sah Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
10. Sri Prakash Sah Son of Late Mangal Sah Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
11. Bhuti Ram Son of Late Mahendra Ram Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
12. Hiralal Ram Son of Late Mathura Ram Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
13. Banhu Ram Son of Late Bhabhijan Ram Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
14. Hussain Ansari Son of Amir Ansari Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
15. Lakhpati Devi Wife of Banhu Ram Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.
16. Salmu Nesha @ Salmun Nesha Wife of Jainool Sheikh Resident of Aryan Nagar, P.S.- Balthar, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62321 of 2022



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

PRAKASH GUPTA @ PRAKASH BABU S/o Sanjay Kumar R/o Village-
Balthar, P.S.- Balthar, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 63473 of 2022

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

SHEIKH AKHTAR @ AKHTER SHEIKH S/o Sheikh Haphi R/o Village-
Aryanagar P.S.- Balthar, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 74561 of 2022

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

1. MANAGER BAITHA Son of Late Rajdev Baitha Resident of Village-
Aryanagar, P.S.- Balthar, District- West Champaran
2. FANINDRA BAITHA @ FARENDRA BAITHA Son of Late Bachu Baitha
Resident of Village- Aryanagar, P.S.- Balthar, District- West Champaran
3. PRINCE KUMAR @ PRIENCE KUMAR Son of Harendra Baitha Resident
of Village- Aryanagar, P.S.- Balthar, District- West Champaran
4. BINOD BAITHA Son of Ramdeo Baitha Resident of Village- Aryanagar,
P.S.- Balthar, District- West Champaran
5. HARENDRA BAITHA Son of Late Algu Baitha Resident of Village-
Aryanagar, P.S.- Balthar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 75201 of 2022

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



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1. BABITA DEVI WIFE OF MANAGER BAITHA R/O VILLAGE-ARYANAGAR, P.S.- BALTHAR, DISTRICT- WEST CHAMPARAN
 2. SARITA DEVI WIFE OF FANINDRA BAITHA @ FANINDR BAITHA R/O VILLAGE- ARYANAGAR, P.S.- BALTHAR, DISTRICT- WEST CHAMPARAN
 3. LALMATI DEVI @ LALMUNI DEVI @ LALMUNI KUMARI WIFE OF HARENDRA BAITHA R/O VILLAGE- ARYANAGAR, P.S.- BALTHAR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 60676 of 2022)

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Umeshanand Pandit

(In CRIMINAL MISCELLANEOUS No. 62321 of 2022)

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Rajendra Prasad Nat

(In CRIMINAL MISCELLANEOUS No. 63473 of 2022)

For the Petitioner/s : Mr. Gauri Shankar Thakur

For the Opposite Party/s : Mr. Rajendra Prasad Nat

(In CRIMINAL MISCELLANEOUS No. 74561 of 2022)

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Syed Ehteshamuddin

(In CRIMINAL MISCELLANEOUS No. 75201 of 2022)

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-01-2023 As all these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341,



323, 337, 338, 353, 186 and 188 of the Indian Penal Code.

As per the FIR, 373 named persons including these petitioners and 100 unknown persons resorted to blockage of road and committed violence with the police party in protest of death of one person.

It is submitted by learned counsel for the petitioners 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 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 06.12.2022 passed in Cr. Misc. No.46002 of 2022. Petitioners have criminal antecedent, as also mentioned in para-3 of the bail applications.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Balthar P.S. Case No.44 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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