

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67406 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- BALIA BELON District- Katihar

1. Manoj Sharma Son of Jamma Sharma Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
2. Anil Sharma Son of Khakhu Sharma Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
3. Biren Sharma Son of Sotish Sharma Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
4. Suresh Sharma Son of Subol Sharma Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
5. Uma Das Son of Biltu Das Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
6. Arun Das Son of Ratiman Das Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
7. Kewal Sharma Son of Biren Sharma Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
8. Khudwa Son of Jogin Sharma Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
9. Sopan Sharma Son of Taira Sharma Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
10. Sopan Das Son of Dharra Das Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
11. Angad Sharma Son of Khudwa Sharma Resident of Narayanpur, P.S. - Balia Belon, District - Katihar
12. Kamal Sharma Son Of Nirda Sharma Resident Of Narayanpur, P.S. - Balia Belon, District - Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.



2. The petitioners apprehend their arrest in connection with Balia Belon P.S. Case No. 40 of 2023 registered for the offences under sections 147, 148, 149, 341, 323, 307, 332, 333, 504, 506, 120(B), 427, 354 and 379 of the Indian Penal Code.

3. As per the prosecution story, around 150 persons forming unlawful assembly gathered at the police station and wanted Bangru Sharma and his family to come out of the premises and when the police intervened, allegation is that the police officials were assaulted which included female police persons.

4. Learned Counsel for the petitioners submit that from the FIR itself, it is clear that 150 persons were rounded off and the police on their whims named each and every individual which included these petitioners. He further submits that petitioners are innocent and have falsely been implicated in this case due to local politics and ulterior motive of the informant. There is no specific allegation of overt-act is against these petitioners rather general and omnibus in nature. He further submits that the injury report available on record and it appears that seven police persons are injured but the injury is simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.



5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering 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 Balia Belon P.S. Case No. 40 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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