

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73526 of 2022

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

1. RAJAN KUMAR @ RAJAN PATEL Son of Akhilesh Patel @ Akhileshwar Patel R/v- Balthar, , P.S.- Balthar, Dist- West Champaran
2. NIRGUN SAH @ NIRGUN KUMAR @ NIRGAN KUMAR @ NIRANJAN KUMAR Son of Asharfi Sah R/v- Balthar, , P.S.- Balthar, Dist- West Champaran
3. RAJESH THAKUR @ RAJESH SHARMA Son of Sonelal Thakur R/v- Balthar, , P.S.- Balthar, Dist- West Champaran
4. SANTOSH SAH Son of Ramayan Sah R/v- Balthar, , P.S.- Balthar, Dist- West Champaran
5. BHULAI SAH Son of Vishwanath Patel R/v- Balthar, , P.S.- Balthar, Dist- West Champaran
6. PRAMOD PATEL Son of Vishwanath Patel R/v- Balthar, , P.S.- Balthar, Dist- West Champaran
7. BECHU SAH Son of Prayag Sah R/v- Balthar, , P.S.- Balthar, Dist- West Champaran
8. BHIMSHAM GOND @ BHISHAM SAH @ BHISHAM GOND Son of Chhathu Gond @ Chhathu Sah R/v- Balthar, , P.S.- Balthar, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 31-01-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this



anticipatory bail petition, petitioner no. 5 has been arrested and, as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this petition with respect to him.

In view of the aforesaid submission, **this petition is dismissed as withdrawn with respect to petitioner no. 5.**

So far as petitioner nos. 1 to 4 and 6 to 8 are concerned, they apprehend their arrest in connection with Balthar P.S. Case No. 43 of 2022, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 337, 338, 427, 435, 353, 307, 504, 120B, 436 of the Indian Penal Code.

The learned counsel for the petitioners has submitted that one person died in police custody and there is allegation that villagers, in protest thereof, attacked the police station and dismantled the articles therein. 51 persons have been named in the FIR. He has submitted further that for the same occurrence, three cases have been lodged and co-accused have been granted anticipatory bail in Cr. Misc. No. 50111 of 2022.

Considering the above-mentioned facts and circumstances, **let petitioner nos. 1 to 4 and 6 to 8,** in the event of their arrest or surrender within four weeks before the learned court below, **be released on bail** on furnishing bail bond



of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 4th, West Champaran at Bettiah in connection with Balthar P.S. Case No. 43 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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