

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67069 of 2022

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

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Hazrat Ansari @ Hajrat Ansari S/o Akuf Ansari @ Akuk Ansari R/o Village-
Arya Nagar, P.S.- Balthar, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-02-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Balthar
P.S. Case No. 44 of 2022 registered for the offence under
Sections 147, 148, 149, 341, 323, 337, 338, 353, 186 and 188 of
the Indian Penal Code (for short 'I.P.C.').

The accused/petitioner is named in the F.I.R. and is in
custody since 28.03.2022.

The allegation against the petitioner is to obstructing
road and to create hindrance in transportation and when the
informant alongwith police parties reached there, the mob
including this petitioner became aggressive and made an attempt



to assault police parties with deadly weapons and also to deter them to discharge their official functions. It is also alleged that obstruction of road was caused to lodged protest against death of a person in judicial custody.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been falsely implicated in present case and moreover, the allegation against this petitioner is appearing very much general and omnibus. It is submitted that the name of petitioner surfaced on the basis of input provided by village chaukidar, where petitioner was not apprehended on spot. It is also pointed out that similarly situated co-accused persons have already been granted anticipatory bail through Cr. Misc. No. 74823 of 2022 vide order dated 31.01.2023 by one of the learned Co-ordinate Bench of this Court. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of the fact as nature of allegation



appearing very much general and omnibus against this petitioner on its face coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Balthar P.S. Case No. 44 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, West Champaran, Bettiah/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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