

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70468 of 2022

Arising Out of PS. Case No.-258 Year-2022 Thana- PAHARPUR District- East Champaran

1. Bhola Mian S/O Khodin Miya R/V- Bawariya, P.S.- Paharpur, District- East Champaran
2. Gaffar Mian S/O Bothu Miya R/V- Bawariya, P.S.- Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Paharpur P.S. Case No. 258 of 2022 registered for the offences punishable under Sections 147, 148, 149, 153, 188, 341, 323, 353, 295, 504, 506, 120B, 332 and 333 of the Indian Penal Code.

The prosecution case is based on a written report by the informant alleging therein that FIR named including petitioners and 100 unknown miscreants armed with lathi Fatta attacked on the house of Neighbouring Hindu family and on the police force threw chilly powder. On the



identification of chowkidar, 13 accused persons including the petitioners were named.

It is submitted by the learned counsel for the petitioners that they are innocent and have falsely been implicated on the basis of suspicion. General and omnibus allegation of commission of assault have been levelled against the petitioners. As a matter of fact there was a fight between two families and police has given communal colour.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in Paharpur P.S. Case No. 258 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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