

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73907 of 2022

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

PREM SHANKAR SAH S/o Asharfi Sah R/v- Balthar, P.S.- Balthar, District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-03-2023 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
Police Station Case No. 43 of 2022 registered for the offence
under Sections 147, 148, 149, 341, 323, 337, 338, 353, 427,
436, 504, 307 and 120(B) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 24.08.2022.

The allegation against the petitioner is to pelting
stones on the police party and also attacked on police station,
damaged the vehicles of police party and also put the vehicle of
police on fire with intention to cause their death, while making a



protest against a death in judicial custody along with 51 named accused and about 1000 unknown co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that nature of allegation against this petitioner is very much general and omnibus and no specific overt act is attributed to him. It is specifically submitted that no police man received injuries during the occurrence. While concluding the argument, it is submitted that petitioner found involved in two more criminal cases, out of same occurrence, where he is on bail in one case and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of the fact as nature of allegation against this petitioner is very much general and omnibus, coupled with fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Balthar Police Station Case No. 43 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, Bettiah, West



Champaran /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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