

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76660 of 2023**

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

JATASHANKAR PATEL @ JATA PATEL SON OF PANNALAL PATEL @
PANALAL PATEL RESIDENT OF VILLAGE- BALTHAR, P.S.-
BALTHAR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, A.P.P

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-12-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Balthar P.S. Case No. 43 of 2022 dated 20.03.2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 337, 338, 427, 435, 353, 307, 504 and 120B and 436 of the Indian Penal Code.

4. As per the prosecution case, more than 1000 peoples attacked the police station and dismantled the articles therein. 51 persons including the petitioner have been named in the FIR.

5. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioner. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 28.07.2023 passed in Cr. Misc. No. 39439 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, West Champaran in connection with Balthar P.S. Case No. 43 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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