

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74547 of 2022

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

Prakash Gupta @ Prakash Babu @ Prakash Kumar, Son of Sanjay Kumar
Resident of Village- Balthar, P.S.- Balthar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate.

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-05-2023 Heard the parties.

2. The petitioner seeks pre-arrest bail in connection with Balthar P.S. Case No. 43 of 2022 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 337, 338, 427, 435, 353, 307, 504, 120B and 436 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., altogether 51 named accused persons including the petitioner and more than 1000 unknown accused had surrounded the police party and started pelting bricks and stones on police party and van and damaged government property.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely been implicated in the case. No specific allegation has been levelled against the



petitioner that it is the petitioner who had attacked the police party and the vehicle. Petitioner only happens to be member of the mob.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the nature of allegation made in the F.I.R. as well as the fact that the police party was surrounded by mob and no specific allegation has been levelled against the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah in connection with Balthar P.S. Case No. 43 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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