

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5134 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- BALIYA District- Begusarai

1. Md Mokhtar @ Md Mukhtar S/O Late Md. Ismail @ Md. Ismail Village- Saidan Chak, Chhoti Ballia, Ward No. 3, Ps. Ballia, Dist. Begusarai.
2. Md. Shahrukh @ Md. Shahruk @ Soni S/O Md. Riyazul @ Gurhabe @ Gurho Village- Misikar Tola, Chhoti Ballia, Ps. Ballia, Dist. Begusarai.
3. Md. Riyazul @ Gurhabe @ Gurho S/O Late Md. Sahadat @ Late Md. Shahadat Village- Misikar Tola, Chhoti Ballia, Ps. Ballia, Dist. Begusarai.
4. Md. Mahboob Alam @ Md. Mahbub Alam S/O Late Md. Mokhtar @ Md. Mokhtar Village- Chak Makhan Tola, (Chak Makan Tola), Chhoti Ballia, Ps. Ballia, Dist. Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandip Kr Gautam
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 342, 323, 325, 337, 338, 307, 435, 436, 353, 427, 153(A), 295(A), 505(B), 505(C), 120(B), 379 of the Indian Penal Code and Section 9 of the Loud Speaker Act.

3. Prosecution case in short, is that, during Durga Puja at the time of idol procession, total 79 named and 200 unknown miscreants started riot due to that law and order got disturbed.



4. Learned counsel for the petitioners submits that petitioner are innocent and have committed no offence. They have falsely been implicated in this case due to local politics. Nothing specific allegation has been levelled against the petitioners. General and omnibus allegations have been levelled against the petitioners. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 16.1.2024 passed in Cr. Misc. No. 762 of 2024. Moreover, they are languishing in judicial custody since 28.10.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Ballia P.S. Case No. 301 of 2023 on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai.

(Sunil Kumar Panwar, J)

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