

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

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

- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Sandip Kr Gautam, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

1. Heard learned counsel appearing on behalf

of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

3. The accused/petitioners are named in the F.I.R. and apprehended their arrest in connection with Ballia P.S. Case No. 301/2023 registered for the offences punishable under Sections Sections 147, 148, 149, 341, 342, 343, 325, 337, 338, 307, 435, 436, 353, 427, 153A, 295A, 505B, 505C, 120(B) and 379 of the Indian Penal Code & Section 9 of Loudspeaker Act.



4. The allegation against the petitioners is to disturb the law and order situation during the eve of Durga Puja immersion.

5. Learned counsel appearing on behalf of the petitioners submitted that during immersion of Goddess Durga idol, the petitioners gave a sign for destroying the flag of other community on which one person tore the flag of other community which led to tense the situation but on the intervention of the district level authorities, the matter was pacified. The learned counsel submits that the petitioners have been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation is general and omnibus in nature. It is further submitted that the petitioners will not abscond rather will co-operate in investigation.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid facts and circumstances and also by taking note of fact as there is no overt act attributed against petitioners, rather they appear only part of mob, accordingly both the petitioners above named, in the event of their arrest or surrender before the learned Court below within a



period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai/concerned Court below where the case is pending in connection with Ballia P.S. Case No. 301/2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

