

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11667 of 2024

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

1. Vikash Soni @ Vikash Kumar Sah @ Bikash Kumar, S/O- Musharu Sah R/O- Chhoti Ballia, P.S.- Ballia, Dist.- Begusarai.
2. Babu Sahab @ Babu Sahab Kumar, S/O- Pappu Mahato R/O- Chhoti Ballia, P.S.- Ballia, Dist.- Begusarai.
3. Naveen Kumar @ Naveen Kumar Sah, S/O- Ram Chandar Sah R/O- Chhoti Ballia, P.S.- Ballia, Dist.- Begusarai.
4. Subham Kumar, S/O- Late Shankar Sah R/O- Chhoti Ballia, P.S.- Ballia, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-02-2024 1. Heard learned counsel for the petitioners and the learned APP for the State.

2. Petitioners seek regular bail in connection with Ballia P.S. Case No. 301 of 2023, dated 26.10.2023, registered for the offence(s) punishable under Section(s) 147, 148, 149, 341, 342, 323, 325, 337, 338, 307, 435, 436, 353, 427, 153A, 295A, 505B, 505C, 120B, 379 of the Indian Penal Code and Section 9 of Loud Speaker Act.

3. The main submissions advanced by the learned counsel for the petitioners are that the instant matter relates to



communal violence but no one sustained injury in the riot and altogether 79 accused persons, including the petitioners, were named in the FIR, against the petitioners there is no specific allegation and 200 more persons have been shown as being involved in the alleged crime as unknown in the FIR and all the petitioners have got no criminal antecedent and have been languishing in jail since 28.10.2023. Further submission is that four co-accused persons namely, Md. Mokhtar @ Mukhtar, Md. Shahrukh @ Md. Shahruk @ Soni, Md. Riyazul @ Gurhabe @ Guho and Md. Mahboob Alam @ Md. Mahbub Alam, who are also named in the FIR, have been granted regular bail vide order dated 07.02.2024 passed in Cr. Misc. No. 5134 of 2024 by a co-ordinate bench of this court and one co-accused namely, Amit Kumar Rastogi @ Amit Rastogi carrying similar nature of allegation, has been granted anticipatory bail by a co-ordinate bench of this court vide order dated 13.02.2024 passed in Cr. Misc. No. 3834 of 2024.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions and mainly the nature of allegation appearing against the petitioners and their custody period and also the privilege of bail having been



granted to several co-accused persons mentioned above by co-ordinate benches of this court coupled with their clean antecedent, this court is inclined to accept their bail prayer. Accordingly, let the petitioners named-above be enlarged 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 the Court concerned.

(Shailendra Singh, J)

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