

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18464 of 2024

Arising Out of PS. Case No.-763 Year-2023 Thana- CHANPATIA District- West Champaran

1. Bharat Mahto Son of Late Hari Mahto Resident of Village- Garbhuwa Lala Tola, P.S. Sirisiya O.P., District- West Champaran
2. Saroj Devi Wife of Bharat Mahto Resident of Village- Garbhuwa Lala Tola, P.S. Sirisiya O.P., District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chanpatia Sirisiya O.P P.S. Case No. 763/2023 dated 25.12.2023 registered for the offences punishable u/ss 186, 188, 353, 504, 379, 511 read with Section 34 of the Indian Penal Code and Section 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the allegation against the petitioners is of abusing and pelting stones and bricks on police officials.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. The name of the petitioners has transpired in this case only on the instance of the villagers. There is general and omnibus allegation against the petitioners. No incriminating article has been recovered from the conscious possession of the petitioners. It is further submitted that the petitioners have no concern with the alleged offence. The co-accused persons have already been granted anticipatory bail by this court vide order dated 14.03.2024 passed in Cr. Misc. No. 16902 of 2024. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Chanpatia Sirisiya O.P. P.S. Case No. 763/2023, subject to conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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