

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23391 of 2024**

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

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Gauri Shankar Sharma, Male, Aged about 41 years, Son of Late Braham Deo Sharma @ Braham Deo Sharma, Resident of Village- Sairen Chak (Saren Chak), Ward No. 19, P.S.- Ballia, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA**

ORAL ORDER

2      10-04-2024                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Ballia P.S. Case No. 301 of 2023 instituted for the offences punishable under Sections 147, 148, 149, 341, 342, 343, 325, 337, 338, 307, 435, 436, 353, 327, 153(A), 295(A), 505(B), 505 (C) 120(B) and 379 of the Indian Penal Code and Section 9 of 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 that law and order got disturbed.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to local village politics. Nothing specific allegation has been levelled against the petitioner. The allegation levelled against petitioner is general and omnibus in nature. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused person has already been granted bail by this Court vide order dated 16.02.2024 passed in Cr. Misc. No. 6300 of 2024. Moreover, he is languishing in judicial custody since 23.01.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No.301 of 2023.

**(Ramesh Chand Malviya, J)**

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