

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24772 of 2024

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

Md. Bilas @ Md. Vilas @ Md. Bilta @ Md. Kismat, aged about 37 years, Son of Md. Wasa Mian @ Late Md. Idrish, Resident of Village - Misikar Tola, Chhoti Balia, Ward No. 9, P.S. - Balia, District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-04-2024 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, 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 9 of the Loudspeaker Act.

3. As per the prosecution case, in short, is that during Durga Puja at the time of idol procession, total 79 named and 200 unknown miscreants started riot for which law and order got disturbed.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence and has falsely been implicated in this case. There is nothing specific allegation against the petitioner. It is further submitted that petitioner is neither the member of the organization nor concern with either side he has been dragged in this case only on the basis of wrong identification. Petitioner had play no role in the said crime and in the whole investigation there is no material to show the complicity of this petitioner in this case. Petitioner has got no criminal antecedent as stated in para 3 of the petition is in custody since 02.12.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional District and Sessions Judge-Ist, Begusarai dated 21.02.2024, it appears that there is no specific allegation against the petitioner and no specific material has been found to connect the petitioner. Similarly situated co-accused person namely Gauri Shankar Sharma has been granted bail by this Court in Cr. Misc. No. 23391 of 2024 vide order dated 10.04.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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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