

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24875 of 2024

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

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Md. Sabar, age about 23 years, Male Son of Md Mohiuddin @ Md Saheb
Resident of Village - Chhoti Ballia Mirsikar Toli, P.S. - Ballia, District –
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

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

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**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 03.11.2023.

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 03.01.2024, 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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