

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80986 of 2024

Arising Out of PS. Case No.-194 Year-2024 Thana- AMAS District- Gaya

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Baliram Sharma @ Balram Sharma S/O Late Rajdeo Sharma R/O Village-
Shamsher Khap, P.S- Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Amas P.S. Case No. 194 of 2024 dated 28-06-2024, instituted
for the offence punishable under Sections 147, 148, 149, 283
353, 341, 504, 332, 333, 427 and 307 of the Indian Penal Code
and Sections 8A/8B of the National Highways Act, 1956.

3. The prosecution case, in short, is that 26 named
accused persons along with 40 to 50 other unknown accused
persons armed with stone bricks and *lathi-danda* attacked the
police party due to which one of the home guards, namely,
Baliram Prajapat has sustained multiple injuries over the vital as
well as non-vital parts of his body. It is further alleged that
petitioner along with several accused persons gathered over the



G.T. road and blocked the road completely and also damaged the government's vehicles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Petitioner is named in the FIR. It is submitted that there is no specific allegation against the petitioner rather it is alleged that he was one of the members of unlawful assembly. It is further submitted that F.I.R. has been lodged against 26 named accused persons and 50-60 unknown persons. It is further submitted that petitioner has not been identified by the informant or any member of the police team rather his name was disclosed by the local '*chowkidar*.' It is next submitted that no one has claimed to identify the petitioner. The petitioner never obstructed the police personnel and other public servants in discharging their duties and never damaged the government vehicles. From perusal of the injury report, it would appear that injury is simple in nature caused by hard substance. Lastly, it has been submitted that he has clean antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Amas P.S. Case No. 194 of 2024, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.- 1st Class, Sherghati, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C

7. The application stands allowed.

(Khatim Reza, J)

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