

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62067 of 2018

Arising Out of PS. Case No.-176 Year-2018 Thana- BASOPATTI District- Madhubani

Deepak Kumar Chaudhary @ Guyddu, Son of Dinesh Chaudhary, Resident of Village- Sirahi, P.S. Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 323,341,342,353,504/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 16.07.2018 submitted by the Child Development Project Officer, Basopatti, Madhubai, to the Station House Officer, Basopatti Police Station is to the effect on 14.07.2018, at 11.00 A.M., the informant along with a female Supervisor, namely, Poonam Kumari came to make a physical verification and inspection of the Aanganwadi Centre situated in Ward No.10 of Kataiya Panchayat when 20-25 unknown male and female persons in the leadership of the petitioner, Deepak



Kumar arrived there and started abusing the informant and started making video and thereby they obstructed the informant from discharging her official duty. It is further submitted that the petitioner also obstructed the informant's vehicle when she was leaving the Anganwadi Centre.

It is submitted by learned counsel for the petitioner that since the petitioner made several complaints with regard to certain discrepancies against the informant, as contained in Annexures 2 and 3, hence, the petitioner has been roped in in the present case. It is further submitted that one Harendra Kumar Thakur also submitted a complaint before the Public Grievance Redressal Officer, Jay Nagar, on 15.06.2018 and as a retaliatory measure, the present case has been lodged by the informant. Moreover, since no injury has been caused to any one, hence, no offence under Section 353 of the I.P.C. is made out. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioner.

Considering the fact that for the occurrence of 14.07.2018, the FIR was registered on 16.07.2018 and it reached to the Court of learned ACJM on 21.07.2018, which suggests



antedating of the FIR, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Madhubani, in connection with Basopatti P.S. Case No.176 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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