

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6909 of 2019

Arising Out of PS. Case No.-74 Year-2016 Thana- PHULWARIA District- Begusarai

Ashok Choudhary @ Ashok Kumar Choudhary, Son of Gangaram Choudhary,
aged about 21 Years (M), Resident of Village - Taraadda Fulwaria, P.S.
Fulwaria, District-Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vishwa Ranjan Choudhary, Advocate.
For the Opposite Party : Mr.Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 147, 148, 149, 341, 342,
323, 353, 332, 427, 504 and 120(B) of the IPC.

The prosecution story, in brief, is that the informant,
in course of patrolling duty, reached Tara Adda and restrained
wine and toddy sellers to sell prohibited wine and toddy on
public places in compliance with the direction of the
Government of the Act. In the meantime, a number of persons
with bamboos in their hands relating to wine and toddy sellers
with families assembled and started protest in unwarranted
manner. They became aggressive and violent on the road.



Benches and wood were burnt to block the traffic, the passers-by were abused and ill treated. The crowd was making slogan against the wine band the policy of the Government. About 200 persons were involved in the violence, the act of violence continued for three hours. Petitioner and other co-accused were identified. The unknown persons including identified and the named accused obstructed the informant and the patrolling party in discharging the official duty by violent and aggressive and illegal act.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act has been alleged against the petitioner. Altogether 12 persons named and 200 unknown have been named in the F.I.R.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks



from today, be released on anticipatory 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 J.M. Ist Class, Begusarai, in connection with Phulwaria P.S. Case No. 74 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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