

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14472 of 2020

Arising Out of PS. Case No.-196 Year-2019 Thana- PHULWARIA District- Begusarai

NARESH CHOUDHARY S/o Late Hiralal Choudhary R/o village- Baro
Munshi Tola, P.S.- Phulwaria, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Phulwaria P.S. Case No. 196 of 2019 for the offence registered under Sections 147, 148, 149, 341, 323, 307, 353, 353(A), 504, 506, 427, 337 and 338 of the Indian Penal Code.

The allegation is regarding several persons, about 100 in all, armed with weapons having attacked the police party when they had arrived at the alleged place of occurrence on the alleged date and time, upon receiving information that illegal



wine and toddy was being sold resulting in obstruction in discharge of duties of the Police.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that as far as the petitioner is concerned, he is stated to be a member of the unlawful assembly and a general and omnibus allegation has been levelled and no specific overt act has been attributed to him.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the fact that a general and omnibus allegation has been levelled against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four 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 learned A.C.J.M.-1st, Begusarai in connection with Phulwaria P.S. Case No. 196 of 2019, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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