

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23159 of 2020

Arising Out of PS. Case No.-476 Year-2019 Thana- MAJHAULIA District- West Champaran

LUCKY SHAHI @ KHUSHNANDAN SHAHI S/o Brajbhusan Shahi @
Bhushan Shahi Resident of Village-Chanayanbandh, P.S.-Majhauria, District-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr. Shailendra Kumar No. 2, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-09-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 341, 323, 353, 427,
307, 337, 431 and 504 of the Indian Penal Code.

The prosecution allegation, in short, is that on



receiving secret information about beating of three persons by a mob, when the information reached the place of occurrence, the accused persons created obstruction in official discharge of duty and abused the police personnel.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of 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 is alleged against the petitioner nor any specific injury is alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned learned Chief Judicial Magistrate, Bettiah in connection with Majhaulia P.S. Case No. 476/2019, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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