

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25618 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- PRATAPGANJ District- Supaul

1. UPENDRA SARDAR Son of Sri Chhedi Sardar Resident of Village - Sripur, P.S. - Pratapganj, District - Supaul.
2. Kinu Yadav Son of Sri Kushum Lal Yadav Resident of Village - Sripur, P.S. - Pratapganj, District - Supaul.
3. Amlesh Sardar Son of Sri Laxmi Sardar Resident of Village - Sripur, P.S. - Pratapganj, District - Supaul.
4. Laxmi Sardar Son of Late Lalli Sardar Resident of Village - Sripur, P.S. - Pratapganj, District - Supaul.
5. Laxmi Sardar Son of Late Bacha Sardar Resident of Village - Sripur, P.S. - Pratapganj, District - Supaul.
6. Ajay Sardar Son of Sri Arjun Sardar Resident of Village - Sripur, P.S. - Pratapganj, District - Supaul.
7. Sudhir Sardar Son of Sri Mani Lal Sardar Resident of Village - Sripur, P.S. - Pratapganj, District - Supaul.
8. Amrendra Sardar Son of Sri Rajendra Sardar Resident of Village - Sripur, P.S. - Pratapganj, District - Supaul.
9. Suksen Sardar Son of Late Bacha Sardar Resident of Village - Sripur, P.S. - Pratapganj, District - Supaul.
10. Pawan sardar Son of Sri Suksen Sardar Resident of Village - Sripur, P.S. - Pratapganj, District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the
defect(s), as pointed out by the office, within a period of eight



weeks.

Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner Nos.1, 2, 3, 7, 9 and 10, as the petitioner Nos.1, 2, 3, 7, 9 and 10 have been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner Nos.1, 2, 3, 7, 9 and 10 is dismissed as withdrawn.

The petitioner Nos.4, 5, 6 and 8 are apprehending their arrest in connection with Pratapganj P.S. case No.110/2020 registered under Sections 332, 333, 353, 341, 342, 143, 188, 120(B), 504, 506 of the Indian Penal Code and Sections 51(a)(b) of Disaster Management Act, 2005.

Allegation is that the accused persons named in the F.I.R. and 100 unknown have disobeyed the lock down order of the government and blocked the road during lock down period.

It has been submitted on behalf of the petitioner Nos.4, 5, 6 and 8 that the petitioner Nos.4, 6 and 8 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos.4, 5, 6 and 8. The petitioner Nos. 4, 5, 6 and 8 have falsely been implicated in the present case. General and omnibus allegation has been



made. The petitioner Nos.4, 5, 6 and 8 were alleged to have protested against the closing of the shop during the lockdown. No specific overt act is alleged against the petitioner Nos.4, 5, 6 and 8

On behalf of the State, it is submitted that the petitioner Nos.4, 5, 6 and 8 are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner Nos.4, 5, 6 and 8, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Birpur, District Supaul in connection with Pratapganj P.S. case No.110/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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