

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1881 of 2021

Arising Out of PS. Case No.-136 Year-2020 Thana- JOGAPATTI District- West Champaran

1. Ravi Choudhary @ Ravi Kumar, aged about 22 Years, Gender (Male), S/O Vinod Choudhary, R/O Village-Dadwa Bhawanipur, P.S. Yogipatti (Nawalpur), District-West Champaran.
2. Bhushan Choudhary @ Bhushan Kumar, aged about 25 Years, Gender (Male), S/O Lalbabu Choudhary, R/O Village-Dadwa Bhawanipur, P.S. Yogipatti (Nawalpur), District- West Champaran.
3. Rahul Choudhary @ Rahul Kumar, aged about 20 Years, Gender (Male), S/O Vinod Choudhary, R/O Village-Dadwa Bhawanipur, P.S. Yogipatti (Nawalpur), District- West Champaran.
4. Shivshankar Choudhary @ Shivshankar Kumar, aged about 27 years, Gender (Male), S/O Kesar Choudhary, R/O Village-Dadwa Bhawanipur, P.S. Yogipatti (Nawalpur), District - West Champaran.
5. Nitesh Choudhary @ Nitesh Kumar, aged about 25 Years, Gender (Male), S/O Vinod Choudhary R/O Village-Dadwa Bhawanipur, P.S. Yogipatti (Nawalpur), District - West Champaran.
6. Baharan Mahto @ Mukesh Kushwaha, aged about 23 Years, Gender (Male), S/O Rampujan Mahto, R/O Village-Dadwa Bhawanipur, P.S. Yogipatti (Nawalpur), District - West Champaran.
7. Ramashis Mahto @ Ramashis Kushwaha, aged about 25 Years, Gender (Male), S/O Late Satyadeo Mahto, R/O Village-Dadwa Bhawanipur, P.S. Yogipatti (Nawalpur), District - West Champaran.
8. Ajay Choudhary @ Ajay Kumar Choudhary, aged about 25 Years, Gender- (Male), S/O Ramnarayan Choudhary, R/O Village - Dadwa Bhawanipur, P.S. Yogipatti (Nawalpur), District - West Champaran.
9. Sudeep Kumar, aged about 18 Years, Gender (Male), S/O Ramakant Choudhary R/O Village-Dadwa Bhawanipur, P.S. Yogipatti (Nawalpur), District - West Champaran.
10. Prabhu Mahto, aged about 35 Years, Gender (Male), S/O Late Satyadeo Mahto R/O Village - Dadwa Bhawanipur, P.S. Yogipatti (Nawalpur), District - West Champaran.

... .. Petitioners

Versus

The state of Bihar



... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sanjeev Kumar Shrivastava, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2021 Learned counsel for the petitioners 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 petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in connection with Yogipatti (Nawalpur P.S. Case No. 136 of 2020 for the offence registered under Sections 147, 149, 188, 269, 270, 271, 323, 353 and 504 of the I.P.C.

The prosecution story, in brief, is that on 17.04.2020, the informant alongwith the police team proceeded for enforcement of Lockdown and in this course, reached *Tinmahal Mandir* and saw a large crowd. They were asked to follow the protocol of the Lockdown but the people misbehaved with them. The petitioners were leading the congregation of people alongwith six other named co-accused and 25-30 unnamed co-accused persons. Co-accused Lalbabu Choudhary informed him



that the reason for the crowd was that the public path was blocked by one Arun Tiwari and they were opposing the same.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been against them. No specific overt act is alleged against them. Altogether 16 named persons alongwith 25-30 unknown persons have been made accused in the present case.

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

Considering the aforesaid facts and circumstances of the case, let the petitioners 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 their personal bond to the satisfaction of the learned C.J.M. Bettiah, West Champaran, in connection with Yogipatti (Nawalpur) P.S. Case No. 136/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall



furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only
each with two sureties of the like amount each within a period
of eight weeks to the satisfaction of the court concerned in
connection with the aforesaid case.

(Sudhir Singh, J)

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