

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38909 of 2020

Arising Out of PS. Case No.-197 Year-2020 Thana- KOILWAR District- Bhojpur

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BHOLA YADAV @ BHOLA PRASAD YADAV, Son of Shri Raghunandan Prasad, Resident of Village - Koelwar, Ward No. 14, P.S.- Koelwar, District – Bhojpur

... Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner : Mr. Awadhesh Kumar, Adv.

For the Opposite Party : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-07-2021 As prayed for, through video conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 22.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioner seeks pre-arrest bail in connection with Koelwar P.S. Case No. 197 of 2020, registered under Sections 147, 148, 149, 323, 337, 307, 353, 384, 427, 188, 269 and 270 of the Indian Penal Code and 3 of the Epidemic Act.

On receiving the information about blockade of road due to dashing of a motorcycle rider by the driver of unknown truck at Doriganj four-lane, the informant, along with other police personnel, reached there, then, saw that the mob was indulged in raising slogans against police administration. At



that time, mob was being led by Vishal Kumar, Bhola Yadav (petitioner), Harendra Ram and Lallan Rai. One teacher, Saroj Kumari, was also engaged in instigating the mob for demanding the compensation due to death in accident on spot while the Block Development Officer, Koilwar, and police personnel tried to convince the mob, but, they were adamant to create nuisance. At that time, local Chowkidar identified 23 persons named in the first information report from the mob of 100-150. Due to blockading the road, several vehicle, including the ambulance carrying the patient, were stranded in big queue and due to mob there was chance of spreading of corona disease. The police personnel and the administration tried to convince to take the dead body for post mortem examination, but, the mob led by the petitioner and others was not ready to remove the blockade and they were adamant for payment of rupees five lakh compensation and 5 decimal land to the family of the deceased on spot. At that time, mob was also indulged in pelting stones in which members of police party sustained injuries.

Submission is that petitioner, being the respected person of the locality, reached there to convince the mob, but, the petitioner is dragged in this case. The petitioner has no criminal antecedent.



Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Koelwar P.S. Case No. 197 of 2020 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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