

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40662 of 2020

Arising Out of PS. Case No.-255 Year-2020 Thana- GAYA KOTWALI District- Gaya

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MD. SHAQUIB, Son of Md. Sajad, Resident of B.N. Jha Road, Mohalla -
Murarpur, Panchu Gali, P.S. - Kotwali, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Obaidullah, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-06-2021 Heard Md. Obaidullah, the learned Advocate for the

petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Kotwali P.S. Case No. 255 of 2020,
instituted for the offences under Sections 341, 323, 307,
353 and 259 of the Indian Penal Code.

The accusation against the petitioner is of violating
the COVID protocol and moving on a motorcycle without



wearing helmet and a mask. When the petitioner was allegedly signaled to stop, he dashed his vehicle and injured two of the police personnel.

The learned counsel for the petitioner has submitted that an absolutely false case has been lodged by the police party against him. The petitioner is a student and is making preparation for competitive examinations. It has further been submitted that on the day of the occurrence, no doubt, the petitioner had forgotten to wear his mask but instead of realizing fine from him, the police party was trying to extract huge amount of money as a bribe. When the petitioner refused, he was brutally assaulted by the police party.

The learned counsel for the petitioner has submitted that he has made a complaint against the aforesaid excesses of the police.

The details of aforesaid report has been brought on record by the petitioner in this bail application.

Considering the nature of accusation and the background facts, the petitioner above-named, in the event



of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 255 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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