

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9527 of 2021

Arising Out of PS. Case No.-89 Year-2020 Thana- LAUKAHA District- Madhubani

1. JAGDEO RAM Son of Mishri Lal Ram Resident of Village - and P.O.- Chaturbhuj Piprahi, P.S.- Laukaha, Dist.- Madhubani.
2. Amrendra Ram Son of Jagdeo Ram Resident of Village - and P.O.- Chaturbhuj Piprahi, P.S.- Laukaha, Dist.- Madhubani.
3. Narendra Ram Son of Jagdeo Ram Resident of Village - and P.O.- Chaturbhuj Piprahi, P.S.- Laukaha, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-03-2021 Heard the learned counsel for the petitioners
and the learned APP for the State.

The petitioners seek regular bail in connection with Laukaha P.S. Case No. 89 of 2020, corresponding to G.R.No. 441 of 2020 registered for the offence punishable under Sections 188, 341, 186, 323, 324, 307, 332, 333, 353, 379, 504/34 of the Indian Penal Code and Section 3 of the Epidemic Act.

The allegation is regarding the police personnel having arrived at the alleged place of occurrence to enforce the lock-down on account of COVID 19 Pandemic and when they had asked



the accused persons, who were 15-20 in number, not to work in a group, the accused persons including the petitioners herein had assaulted the police personnel resulting in injuries being inflicted upon them.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having clean antecedent and they are languishing in custody since 27.03.2020. The learned counsel for the petitioners has further submitted that the injuries sustained by the police officials are simple in nature and charge-sheet has already been filed in the present case, hence, no prejudice would be caused, in case the petitioner are granted bail. It is further submitted that similarly situated co-accused persons have already been granted bail by coordinate Benches of this Court vide order dated 30.06.2020 passed in Criminal Miscellaneous No. 21209 of 2020 and order dated 30.09.2020 passed in Criminal Miscellaneous No. 25742 of 2020.



Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the parity of the case of the petitioners with that of the co-accused persons, who have already been granted bail by coordinate benches of this Court, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jhanjharpur in connection with Laukaha P.S. Case No. 89 of 2020.

(Mohit Kumar Shah, J)

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