

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4835 of 2022

Arising Out of PS. Case No.-117 Year-2021 Thana- SARE District- Nalanda

RAJESH GUPTA @ RAJESH KUMAR, (Male), aged about 52 years, S/o
Late Hira Saw, R/o village- Murgiya, P.S.- Sare, District- Nalanda.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Kumar, Advocate
For the Opposite Party : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner is apprehending his arrest in connection
with Sare P.S. Case No. 117 of 2021 for the offence registered
under Sections 147, 148, 149, 188, 341, 323, 332, 333, 337,
338, 353, 356, 357, 307 of the I.P.C., Section 27 of the Arms Act
and Section 51 of Disaster Management Act.

The prosecution story, in brief, is that during the
course of convincing the people, gathered for watching dance
programme, to follow guidelines regarding Covid-19 and
maintain social distancing and to stop dance programme, mob



violently attacked the police party causing injury to them and also resorted to firing to kill them.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Specific allegation of assault is against Bipin Yadav @ Bhasho Yadav, Ravindra Yadav and Jwala Chaudhary. Altogether 21 named persons alongwith 150-200 unknown persons have been made accused in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner 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 the learned A.C.J.M.-IV, Nalanda at Biharsharif, in connection with Sare P.S. Case No. 117 of 2021, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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