

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7534 of 2022

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

KAUSHAL YADAV @ KAUSHAL KUMAR @ KAUSHAL (D.J. SANCHALAK OWNER), aged about 37 years (M), Son of Ramashary Yadav, Resident of Village - Murgiachack, P.S.- Sare, Distt.- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mritunjay Kumar Nirala, Advocate
For the Opposite Party : Mr. Akshay Lal Pandit, 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, 2005.

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 committing 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 22 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 Additional District and Sessions Judge-Ist, Nalanda,



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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