

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26944 of 2022

Arising Out of PS. Case No.-248 Year-2021 Thana- JOGAPATTI District- West Champaran

1. Wakil Chaudhary Son Of Sri Rudal Chaudhary R/O Village- Khalwa Tola, Nawalpur, P.S.- Jogapatti (NAWALPUR), District- West Champaran
2. Adhar Raut Son Of Sri Sukhadi Mushahar R/O Village- Nawalpur Mushahar Toli, P.S.- Jogapatti (NAWALPUR), District- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

Learned counsel for the petitioners seeks permission
of the Court to withdraw the application in respect of petitioner
No. 1 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect
of petitioner No. 1.

The petitioner No. 2 is apprehending his arrest in a



case registered under Sections 147, 149, 188, 323, 341, 342, 269, 270, 271, 353, 427 of the Indian Penal Code and Section 3 of the Epidemic Act, 1897.

The prosecution case, in short, is that for investigation when the police party reached the place of occurrence, the accused persons created hindrance and raised slogans against them and were not following the guidelines issued by the government during the pandemic of Covid-19.

It has been submitted on behalf of the petitioner No. 2 that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No. 2. The petitioner No. 2 has falsely been implicated in the present case. General and omnibus allegation is alleged against the petitioner No. 2. There is no specific overt act alleged against the petitioner No. 2. The petitioner No. 2 has been implicated due to ulterior motive.

On behalf of the State, it is submitted that the petitioner No. 2 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner No. 2, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Jogapatti(Nawalpur) P.S. Case No. 248 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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