

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58122 of 2021

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

1. MAHAJAN CHAUDHARY S/o Late Druv Chaudhary Resident of Ward No. 15, P.S.- Nawalpur, District- West Champaran
2. RAJENDRA PATEL S/o Bisudeo Patel Resident of Ward No. 15, P.S.- Nawalpur, District- West Champaran
3. MIRA CHAUDHARY @ NIRA CHAUDHARY W/o Ramavtar Resident of Khalwatola, P.S.- Nawalpur, District- West Champaran
4. BIGARU MUSHAR S/o Guruchun Raut Resident of Mushar Toli, P.S.- Nawalpur, District- West Champaran
5. DEEPAK CHAUDHARY S/o Asarfi Chaudhary Resident of Mushar Toli, P.S.- Nawalpur, District- West Champaran
6. BUNA DEVI W/o Ramchandra Mushar Resident of Mushar Toli, P.S.- Nawalpur, District- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 08-09-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Yogapatti (Nawalpur OP) P.S. Case No. 248 of 2021, registered for the offences punishable under Sections 188, 147,



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

As per allegation, there was land dispute between Ramshankar Chaudhary and Umesh Chaudhary. In altercation Umesh Chaudhary died and Nawalpur P.S. Case No. 247 of 2021 was registered during course of investigation. The accused persons created chaos, they ransacked the house of the accused persons of that case and they also created hindrance in cremation of dead body. They were not following the guidelines of lockdown and were raising slogans and thereby they prevented the police personnel from discharging their duties.

Learned counsel for the petitioners has submitted that they were peacefully protesting as their neighbour Umesh Chaudhary has died. He has submitted further that none has injured and there is no allegation of using force against the police.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah West



Champaran in connection with Yogapatti P.S. Case No. 248 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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