

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1636 of 2022

Arising Out of PS. Case No.-681 Year-2021 Thana- PHULWARISHARIF District- Patna

VIJAY KUMAR Son of Sri Nand Kishore Sharma Residing at 17- New Road,
Uttari Sangat, Kumhar Toli, Ward No.06, P.S.- Phulwarisharif, District/ Town-
Patna- 801505.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Renu Jha, Adv.
Mr. Shashi Kumar, Adv.
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

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

The petitioner is apprehending his arrest in Phulwarisharif P.S.
Case No. 681 of 2021 registered under Sections 147, 148, 181,
353/34, u/s 3/4 of Epidemic Deceased & Section 3/4 of Loud Speaker
Act, 1955.

Allegedly, the petitioner along with a mob participated in the
procession during lock down and violated the guidelines of SOP. The
loudspeakers were also used in the procession.

It has been submitted on behalf of the petitioner that there is no
allegation of tampering of witnesses alleged against the petitioner.



The petitioner has been falsely implicated in the present case. As per the allegation, a mob was participating in the procession during lockdown. The alleged occurrence is said to have taken place on 19-08-2021 but from perusal of Annexure-3 to this application, it is evident that on that very day the petitioner, being the employee of Electricity Department, had gone for raid against those people who were using the electricity by way of illegal connection.

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

Considering the aforesaid facts and circumstances of the case, 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Patna in connection with Phulwarisharif P.S. Case No. 681 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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