

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29171 of 2023

Arising Out of PS. Case No.-150 Year-2020 Thana- KHUSRUPUR District- Patna

MAHESH KUMAR @ MAHESH DUBEY S/o Shree JainathDubey Resident
of Nimtal, New Colony, Ward No. 2, P.S.-Khusrupur District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhiraj Sagar, Adv.

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. In compliance of order dated 14.07.2023, a counter-
affidavit has been filed by learned APP for the State.

3. The same is kept on record.

4. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 188, 269, 270, 271 and 353 of the
IPC and section 3 of the Epidemic Diseases Act, 1897 and
section 52 of the Disaster Management Act, 2005.

5. Allegedly, the petitioner was found operating his shop in
violation of Covid-19 guidelines and huge rush was gathered in
his shop against the said guidelines.

6. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The petitioner was given the benefit of section 41A of the Cr.P.C., thereafter, charge sheet was submitted against the petitioner u/s 188, 269, 270, 271 and 353 of the IPC, section 3 of the Epidemic Diseases Act, 1897 and section 52 of the Disaster Management Act, 2005. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent.

7. Learned APP for the State opposed the prayer for bail.

8. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Khusrupur P.S. Case No.150/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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