

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50392 of 2022

Arising Out of PS. Case No.-62 Year-2022 Thana- GAIGHAT District- Muzaffarpur

SHIVDHAN KUMAR, S/o Mr. Radha Raman Singh R/o Village - Kamarthu,
P.s.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. DR. VIMAL KUMAR S/o Mr. Yugal Kishor Yadav R/o Mohalla - K.M. Tank, abdullahpur, P.S. and town - Laheriasarai, District - Darbhanga. presently - Block Development officer, Gaighat, Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saptashwa Singh, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defect (s), if any, as pointed out by the
office, be removed within a period of three weeks.

The petitioner is apprehending his arrest in
connection with Gaighat P.S. Case No. 62 of 2022 (G.R. No.
469/2022) registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 307, 332, 353, 504 and 506
of the Indian Penal Code and under Section 3 of the Bihar
Control of the Use and Play of Loudspeakers Act.

As per the prosecution case, the police received



information that some miscreants are playing loud and obscene music on loudspeaker and forming a mob. When the informant along with other police personnel tried to calm the mob, the mob misbehaved with the police party. The petitioner was leading the mob and when the official driver Sandip Singh tried to seize a Tractor, the petitioner pushed him and with intent to kill, drove the Tractor towards the police personnel.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The entire allegations made against the petitioner is false and fabricated. The petitioner has got clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate,



1st Class, (East), Muzaffarpur in connection with Gaighat P.S.
Case No. 62 of 2022, subject to the condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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