

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52187 of 2022**

Arising Out of PS. Case No.-303 Year-2020 Thana- GAYA KOTWALI District- Gaya

MD. VISHAN @ MD. JISHAN SON OF MD. ASHRAFI R/O MOHALLA-
EKBAL NAGAR, P.S.- KOTWALI, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in connection with Kotwali P.S. Case No. 303 of 2021 under Section 147, 148, 149, 341, 323, 307, 353, 29, 427, 269, 270 and 504 of the Indian Penal Code.

As per the prosecution story, around 400-500 persons created nuisance for opening the gate of Karbala and later allegation is that violating the Covid-19 protocols, they assembled and in the process, also attacked and injured the informant side. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that omnibus allegation is against 400-500 persons, he being one of them.



Learned APP also concedes that there is omnibus allegation.

Taking into account the aforesaid facts as also the kind of allegation, this Court is inclined to grant him relief.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Gaya , in connection with Kotwali P.S. Case No. 303 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/Ajay Singh

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