

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64265 of 2022

Arising Out of PS. Case No.-249 Year-2020 Thana- PARAIYA District- Gaya

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1. SANJAY PRASAD @ SANJAY MAHTO @ BABLU KUMAR Son of Late Parmeshwar Mahto
 2. Shankar Paswan @ Shankar Kumar Soh of Late Ramdeo Paswan
 3. Deepu Kumar Chaudhary @ Deepu Choudhary Son of Late Bhola Chaudhary
 4. Ranjit @ Ranjit Kumar @ Ranjit Lal Son of Late Pannu Lal
All Resident of Village - Uprauli, P.S.- Paraiya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Paraiya P.S. Case No.249 of 2020 instituted under Sections 147, 149, 188, 269, 270, 353 of the Indian Penal Code and 51(A)(B) of Disaster Management Act, 2005.

As per the prosecution story, the police alleged that during the Covid-19 period violating the restrictions, a dance programme was organized by the local villagers. The police arrived and tried to stop the same whereafter it has been alleged that the accused side became furious and pelted stones on the



police party. Accordingly, the FIR.

Learned counsel for the petitioners submit that they were just onlookers and had nothing to do with the organizing of the dance programme, as the police arrived they wanted to leave the place but were implicated in this case. It is his further submission that for the inconvenience that the police party has suffered, they on their own would like to contribute Rs.5000/- each to the Patna High Court Legal Services Committee and would be submitting the receipt to the concerned court irrespective of the outcome of the present case.

Learned APP opposes the prayed but concedes that the petitioners do not have criminal antecedent.

Taking into account the kind of allegation that has come against the petitioners, they do not have criminal antecedent, FIR lodged, ultimately they will have to face the music, this Court is inclined to extend them relief, subject to payment of Rs.5000/- each to the Patna High Court Legal Services Committee, as stated above.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two



sureties of the like amount each in connection with Paraiya P.S.
Case No.249 of 2020 to the satisfaction of learned Judicial
Magistrate, Ist Class, Gaya, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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