

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9194 of 2024

Arising Out of PS. Case No.-200 Year-2020 Thana- MANIGACHI District- Darbhanga

Md. Irfan @ Imran @ Md Imran Son Of Md. Usman @ Usman @ Bhola
Resident Of Village- And Po- Bajitpur, Ps- Manigachi, (Bajitpur OP), Dist-
Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Padmanabh Kashyap, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned APP for
the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Manigachi (Bajitpur O.P.) P.S. Case No. 200 of 2020 registered for the offences punishable under Sections 147, 353, 188 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

3. Allegation against the petitioner is to participate in Muharram procession along with 27 named along with 100 unknown persons during lockdown period arises out of Covid-19, where such gathering was prohibited under order of the State Government.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is a daily wages labour and his name was supplied by local chowkidar, who identified him from viral video, which is apparent from face of F.I.R. itself. It is submitted that no



overt act appears attributed against the petitioner as to deter police officials to discharge their official duties, where maximum allegation appears to violate the guidelines as issued during Covid-19, by Government of Bihar where petitioner is man of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. In view of the factual submissions as the maximum allegation appears is of violation of guidelines during lockdown arises out of Covid-19, where identification of petitioner appears through viral video on instance of local chowkidar, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Darbhanga in connection with Manigachi (Bajitpur O.P.) P.S. Case No. 200 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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