

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1522 of 2025

Arising Out of PS. Case No.-668 Year-2020 Thana- MAJHAULIA District- West Champaran

Dinanath Sah @ Deenanath Sah Son of Rajendra Sah Resident of Village -
Gurchuurwa, Ward No.9, P.S. - Majhauria, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajeet Kumar Bhawdwaj, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-05-2025 Heard Mr. Ajeet Kumar Bhawdwaj, learned counsel
for the petitioner and Ms. Gulnar Begum, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Majhauria P.S. Case No. 668 of 2020, F.I.R. dated 22.09.2020 for the offences punishable under Sections 147, 148, 149, 269, 270, 271, 187, 188, 189, 341, 342, 332, 333, 353, 427, 435 of Indian Penal Code and 3 of Epidemic Disaster Act, 1897 and $\frac{3}{4}$ of damage of Public Property Act, 26 of Juvenile Justice (Care and Protection of Children) Act and $\frac{3}{4}$ of Bihar Loud Speaker Act.

3. As per the First Information Report, on secret information, informant along with other police officer and



constables reached the place of occurrence and saw several persons, 250 in number, various armed with deadly weapon, were burning tyre and damaging the road. They had blocked the road and had kept juveniles in front of their gathering and were making unwanted announcement on loudspeaker due to which public work was being disturbed.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. From bare perusal of the FIR it appears that although the petitioner is named in the FIR but there is no specific allegation rather there is general and omnibus allegation against accused persons including this petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner along with others with common intention have obstructed police during discharge of official duty and apart from that petitioner carries one criminal antecedent other than the present one but fairly submits that police has submitted final form in favour of the petitioner.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner, let the petitioner, above named, in the event of arrest or surrender



before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, West Champaran, Bettiah in connection with Majhulia P.S. Case No. 668 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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