

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20507 of 2020

Arising Out of PS. Case No.-168 Year-2019 Thana- SIDHWALIYA District- Gopalganj

Krishna Ram Son of Shankar Ram Resident of Village - Karasghat, P.S.-
Mohammadpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-07-2020 The Court proceeding has been conducted

through virtual mode.

Since the physical court proceeding is non-

functional due to the present pandemic COVID-19, the

matter is listed with defects.

Learned counsel for the petitioner undertakes to

remove the defects within three weeks of the resumption

of the physical Court proceedings.

In case of non-removal of the defects within

undertaken period, the office shall place the matter

before the bench.

Heard learned counsel for the petitioner and



learned counsel for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 342, 323, 324, 325, 342, 307/34 of the Indian Penal Code, 1860.

The prosecution case as per the written report of Chandan Kumar Gupta, submitted to the SHO, Sidhwaliya Police Station is to the effect that brother-in-law of the informant Anil Kumar Sah was returning from his sister in-laws house but on the way on NH-28 near village Supauli the accused persons badly assaulted the brother-in-law of the informant. The villagers conveyed about the assailants as Rama Manjhi, Rahul Kumar, Bhuali Mian, Krishna Ram and 10-15 unknown persons.

Learned counsel for the petitioner submits that his name has been roped in on the identification of the villagers whose identification have also not been disclosed. The brother-in-law of the informant received five injuries which are all superficial simple in nature.



A statement has been made in para 3 of the petition that petitioner is not having any criminal antecedent and similarly situated co-accused named in the F.I.R has been granted anticipatory bail by a Co-ordinate bench of this Court vide order dated 29.11.2019 passed in Cr. Misc. No. 81384 of 2019.

Learned counsel for the State submits that petitioner has been named in the F.I.R.

Considering the fact that accusation is omnibus and general, injury has been found to be simple in nature, co-accused person has been granted bail and petitioner is not having any criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks, be released on provisional anticipatory bail for a period of three months on furnishing one surety to the satisfaction of learned Additional Chief Judicial Magistrate, VI, Gopalganj in connection with Sidhwaliya P.S. Case No. 168 of 2019, subject to the conditions as



laid down under Section 438(2) Cr.P.C.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, VI, Gopalganj in connection with Sidhwaliya P.S. Case No. 168 of 2019 including one surety given at the time of provisional bail.

The learned Court below will be at liberty to further extend the period of provisional bail if the Court proceeding in physical mode will not resume in next



three months.

Accordingly the present application stands
disposed of.

(Dinesh Kumar Singh, J)

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