

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13610 of 2021

Arising Out of PS. Case No.-129 Year-2020 Thana- MUFFASIL District- Aurangabad

MANOJ SINGH @ RAJENDRA RAM S/o Gopal Ram R/o village-
Kapasiya, P.S.- Muffasil, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 24-01-2022 Due to the third wave of COVID-19 Pandemic, the matter
is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders'
under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned Counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks after restoration of normalcy.

The petitioner is apprehending his arrest in connection
with Aurangabad Muffasil P.S. case No.129/2020 registered under
Sections 302, 201, 120(B)/34 of the Indian Penal Code.

Prosecution case, in short, is that two dead bodies were
being cremated near the river by the accused persons. On seeing the
police party, the accused persons fled away.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per the allegation, two dead bodies were being cremated by the side of the river and on seeing the police accused persons fled away. In course of investigation, it has come that one Manish Kumar is said to have killed the deceased. No allegation of assault is alleged against the petitioner. The petitioner is alleged to have helped in disposing of the dead bodies.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

It is necessary to indicate here that this Court while considering the prayer made in the present anticipatory bail application has taken note of the exponential rise in number of covid cases due to outbreak of third wave of Covid-19 pandemic. Further this Court can also not lose sight of the fact that the condition of jails is not conducive and suitable to the present situation which has arisen due to the sudden rise in covid cases.

Considering the facts and circumstances, the petitioner, above named, in the event of arrest or surrender



before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Muffasil P.S. case No.129/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

