

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14940 of 2021**

Arising Out of PS. Case No.-421 Year-2020 Thana- AMARPUR District- Banka

RAJNISH SHUBHAM Son of Rajeev Prasad Sah Resident of Village -  
Bounsi, Police station - Bounsi, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      14-02-2022                      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 Amarpur P.S. case No.421 of 2020 registered under  
Sections 341, 323, 354, 447, 504, 506, 34 of the Indian Penal  
Code.

Allegation is that the petitioner misbehaved with the



sister of the informant.

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. A case was instituted prior to institution of the present case by the uncle of the petitioner against the informant. There is Partition Suit also pending between the parties. All the offences are triable by the Magistrate.

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 C.J.M. Banka in connection with Amarpur P.S. case No.421 of 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/-

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