

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16138 of 2021**

Arising Out of PS. Case No.-167 Year-2020 Thana- SIRDALA District- Nawada

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GOPAL SINGH @ GOPAL KUMAR Son of Mantu Singh Resident of
Village- Khanwan, P.S.- Narhat, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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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.

Further, learned counsel for the petitioner submits that
in the prayer portion of the present application, due to
typographical error, District of satisfaction court has been typed
as “Kishanganj” in place of “Nawada”.

Let in the prayer portion of the application, the words



“Kishanganj” be corrected to be read as “Nawada”.

The petitioner is apprehending his arrest in connection with Sirdala P.S. case No.167 of 2020 registered under Sections 384, 386, 387 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner demanded extortion of Rs.1000/- per tractor, otherwise the informant will be shot.

It has been submitted on behalf of the petitioner that 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, Rs.1000/- is alleged to have been demanded as extortion per tractor. No such extortion was demanded by the petitioner.

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 Additional Chief Judicial Magistrate-I, Nawada in connection with Sirdala P.S. case No.167 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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