

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17348 of 2021**

Arising Out of PS. Case No.-87 Year-2020 Thana- THAKRAHA District- West Champaran

SONU BIND @ SONU NISHAD S/o Late Sakal Bind Resident of Thakraha
Tola, Pakri, Thakraha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-02-2022 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 defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 324, 379, 447, 504 and 34 of
the Indian Penal Code.

The prosecution allegation, in short, is that the
petitioner gave a iron rod blow on the head of one person and



other accused persons snatched mangal sutra 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. Section 379 IPC has been added only to make the offence severe. All the offences are triable by the Magistrate. Except for offence under Section 379 IPC, other offences are bailable in nature. The present case has been instituted due to enmity between the parties.

On behalf of the State, it is submitted that the petitioner is named in the 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 aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/surrender before



the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bonds to the satisfaction of learned Judicial Magistrate, 1st Class, Bagaha, West Champaran in connection with Thakraha P.S. Case No. 87/2020, 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)

Pankaj/-

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

