

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12778 of 2021

Arising Out of PS. Case No.-362 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

Dablu Ram Son Of Chhatu Ram Resident Of Village- Baksada, P.S.-
Karahgar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan, Advocate

For the Opposite Party/s : Mrs.Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-02-2022 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.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 307, 504, 506, 34 of the
Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that the in
course of investigation, one of the co-accused was apprehended
who disclosed the accused persons including the petitioner were
involved in firing.

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. The name of the petitioner has transpired on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The alleged occurrence is said to have taken place on 24.11.2020 for which case was instituted on 07.12.2020. The delay in lodging the case has not been explained by the prosecution.

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 A.C.J.M.- VIth Kaimur at Bhabua in connection with Kudra P.S. Case No. 362 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)

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