

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20355 of 2021

Arising Out of PS. Case No.-144 Year-2020 Thana- ROH District- Nawada

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1. Satyendra Yadav S/O Ramrup Yadav R/O Village-Sheikhpura, P.S-Roh, District-Nawada.
 2. Chandan Yadav S/O Alakhdeo Yadav R/O Village-Sheikhpura, P.S-Roh, District-Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Suresh Prasad 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 petitioners and learned APP for the State through virtual mode.

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

The petitioners are apprehending their arrest in connection with Roh P.S. case No.144/2020 registered under Sections 147, 148, 149, 341, 323, 324, 354(B), 380, 447, 448,



504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation is that petitioner No.1 gave khanti blow on the head of the informant and the petitioners tore clothes of the daughter of the informant.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The present case is a counter blast to the case instituted by the co-accused of the present case. Said case was instituted prior to institution of the present case. The present case has been instituted only to save his skin for facing prosecution in respect of the case instituted by the accused side. The case instituted by the accused of the present case is Roh P.S. case No.140 of 2020.

On behalf of the State, it is submitted that the petitioners are 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 petitioners, 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 their personal bond to the satisfaction of Sri Prasant Kumar, Judicial Magistrate, 1st class, Nawada in connection with Roh P.S. case No.144/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners 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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