

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20337 of 2021**

Arising Out of PS. Case No.-133 Year-2020 Thana- HULASGANJ District- Jehanabad

ROCKEY RANJAN Son of Satyanarayan Sharma Resident of Village -
Chhotiya, P.O.- Takya Karpi, P.S.- Mahkar (Khijarsarai), District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Kumar

For the Opposite Party/s : Mr.A.G.

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

2 04-01-2022 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.

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

Heard learned counsel for the petitioner and the State
through virtual mode.

The petitioner is apprehending his arrest in Hulasganj
P.S. Case No. 133 of 2020 registered under Sections 379, 353,
411/34 of the Indian Penal Code.

Allegedly, two tractors loaded with illegally excavated
sand, were recovered.



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 been falsely implicated in the present case. The petitioner is alleged to be owner of one of the tractors along with its trailer. It is alleged that illegal sand was being carried by the tractor, in question. It is submitted on behalf of the petitioner that the petitioner had no knowledge regarding the occurrence. Referring Annexure-3 to this application, it has further been submitted that the fine amount has already been deposited 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 aforesaid facts and circumstances of the case, 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 Chief Judicial Magistrate, Jehanabad in connection with Hulasganj P.S. Case No. 133 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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