

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8947 of 2020

Arising Out of PS. Case No.-205 Year-2018 Thana- AKBARPUR District- Nawada

SATO YADAV Son of Late Daso Yadav Resident of Village - Bala Bigha,
P.S.- Akbarpur, Distt - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-01-2022 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.

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 302, 201 and 34 of the Indian Penal
Code.

The prosecution allegation, in short, is that on account
of dispute arose in the family, the husband of the informant was
killed by his family members.

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 wife of the deceased is the informant of the present case. The petitioner happens to be father of the deceased. It is submitted that informant is not an eye witness to the alleged occurrence. From perusal of the Case Diary, it appears that in paragraphs 12, 13, 35 and 36, the independent witnesses who have been examined in course of investigation have stated that the body of the deceased was found by the side of the road where packet of selphos (poison) was also found and the said witnesses have further stated that the deceased has committed suicide.

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. -1st Nawada in connection with Akbarpur P.S. Case No. 205/2018, 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	
---	--	---	--

