

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22606 of 2021**

Arising Out of PS. Case No.-319 Year-2020 Thana- SUPAUL District- Supaul

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1. AMARDIP SHARMA @ AMARDIP KUMAR Son of Garib Sharma  
Resident of Mohalla- Keshav Nagar, P.S.- Pipra, District- Supaul.
  2. Kartik Kumar Son of Garib Sharma Resident of Mohalla- Keshav Nagar,  
P.S.- Pipra, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Singh No.1, APP

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

2      17-01-2022                      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 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 Supaul P.S. case No.319/2020 registered under  
Sections 392 and 411 of the Indian Penal Code.



Prosecution case, in short, is that the accused persons including the petitioners tried to rob the informant and looted his motorcycle.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. As per the prosecution case, four accused persons tried to rob the informant and looted his motorcycle. In course of occurrence, one of the accused was apprehended alongwith the motorcycle in question. The names of the petitioners have transpired in this case on the disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. There is no recovery of any incriminating article from the possession of the petitioners.

On behalf of the State, it is submitted that the petitioners are not 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 learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. case No.319/2020, 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)**

Narendra/-

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