

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30260 of 2021

Arising Out of PS. Case No.-25 Year-2013 Thana- SAHODARA District- West Champaran

Shailendra Gadhwal@ Shailendra Kumar Son Of Prem Narayan Gadhwal
Resident Of Village- Zamuniya Bazar, P.S. Sahodara, District West
Champaran At Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kr Singh No.3, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2022 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.

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

The petitioner is apprehending his arrest in connection
with T.R. No.2444 of 2020 arising out of Sahodra P.S. case
No.25/2013 registered under Sections 147, 148, 149, 341, 323,
324, 307, 379, 353, 504 of the Indian Penal Code.



Allegation is that the petitioner pressed the neck of the informant.

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 falsely been implicated in the present case. There is no injury caused to any one in course of occurrence. For a petty reason, the alleged occurrence is said to have taken place between the local residents and the police party. The petitioner was on police bail and he has never misused the privilege of bail.

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 facts and circumstances, 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 Smt. Rupa Raj, learned Judicial Magistrate, 1st class, West Champaran at Bettiah in connection with T.R. No.2444 of 2020 arising out of Sahodra P.S. case No.25/2013, 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)

Narendra/-

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