

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32587 of 2021

Arising Out of PS. Case No.-97 Year-2020 Thana- CHANDI District- Nalanda

1. Sanjeet Kumar Singh @ Sanjeet Kumar, aged about 51 years, Gender-Male, S/O Late Hardwar Singh @ Late Haridwar Singh, Resident Of Village - Beldhana, P.S. - Chandi, District - Nalanda.
2. Ajit Singh @ Ajit Kumar Singh @ Hawagiri @ Ajit Kumar, aged about 53 years, Gender-Male, S/O Late Hardwar Singh @ Late Haridwar Singh, Resident Of Village - Beldhana, P.S. - Chandi, District - Nalanda.
3. Saurabh @ Chiku Kumar @ Saurabh Kumar, aged about 33 years, Gender-Male, S/O Narayan Singh, Resident Of Village - Beldhana, P.S. - Chandi, District - Nalanda.
4. Ranjit Singh @ Ranjit Kumar Singh, aged about 41 years, Gender-Male, S/O Raja Ram Singh Resident Of Village - Beldhana, P.S. - Chandi, District - Nalanda.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Bhaskar Shankar, Advocate
For the Opposite Party	:	Mrs. Usha Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-02-2022 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 A.P.P. for the State through Virtual mode.

Learned counsel for the petitioners is directed to remove the defects, 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 Chandi P.S. Case No. 97/2020 for the offence registered under Sections 307, 341, 323, 504, 506, 147, 148, 149 of the I.P.C. and Section 27 of the Arms Act.

The prosecution case, in brief, is that on 11.03.2020 at about 8.15 A.M. in the day, when the informant was returning after attending call of nature he saw that some people was abusing his father and co-accused Randhir Kumar Singh fired which hit the thigh of the informant and co-accused Vikki @ Ankit Kumar fired upon the temporal region of the father of the informant. It is further alleged that there was Farsa in the hands of co-accused Kesharinandan @ Chhote and Bhushan. The petitioners alongwith F.I.R. named accused persons were firing continuously.

It has been submitted by learned counsel for the petitioners that the petitioner nos. 2 and 3 have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. As per prosecution case, the specific allegation of firing is against co-accused Randhir Kumar Singh and Vikky Kumar @ Ankit Kumar who are alleged to have fired upon the victims. As far as petitioners are



concerned, general and omnibus allegation has been made against them. No specific overtact is alleged against them. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are 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 petitioners, 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 their personal bonds to the satisfaction of the learned A.C.J.M., Hilsa, Nalanda, in connection with Chandi P.S. Case No. 97/2020,



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) each 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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