

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39960 of 2021

Arising Out of PS. Case No.-8 Year-2020 Thana- NARDIGANJ District- Nawada

1. VARUN SINGH @ VARUN KUMAR Son of Sanjay Singh Resident of Village- Fajilpur, P.S.- Nardiganj, District- Nawada.
2. Sonu Kumar Son of Sanjay Singh Resident of Village- Fajilpur, P.S.- Nardiganj, District- Nawada.
3. Pravesh Kumar Son of Jungi Singh Resident of Village- Fajilpur, P.S.- Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Nayan

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-01-2022 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 petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

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

The petitioners are apprehending their arrest in Nardiganj P.S. Case No. 08 of 2020 registered under Sections-



147, 148, 149, 341, 323, 307, 337, 353 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, two groups were fighting. When the police came, they ran away. One cartridge is said to have been recovered.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. As per the allegation, two groups were fighting among themselves and when the police came, they ran away. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. The names of the petitioners have transpired in this case on the basis of disclosure made by local residents.

On behalf of the State, it is submitted that the petitioners are 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 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 Sri Rajiv Kumar, learned Judicial Magistrate-Ist Class, Nawada in connection with Nardiganj P.S. Case No. 08 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 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)

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