

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56655 of 2021

Arising Out of PS. Case No.-31 Year-2016 Thana- NARHATT District- Nawada

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SATISH SINGH @ SATISH PRASAD SINGH Son of Kamta Singh Resident
of Village- Khanwan, P.S.- Narhat, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Opposite Party/s : Smt.Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2022 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 Narhat P.S. case No.31 of 2016 registered under Sections
147, 149, 186, 188, 114, 117, 307, 353, 337, 338, 427, 506, 504
of the Indian Penal Code.

Prosecution case, in short, is that the accused persons



named in the F.I.R. along with 20-25 unknown persons entered in the restricted area and started pelting stones and bricks, due to which police personnel sustained injuries.

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. As per the prosecution case, in respect of panchayat election nomination, a mob had entered into restricted area, due to which scuffle is said to have taken place between the mob and the police party. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. No offence under Section 307 of I.P.C. is made out against the petitioner. Altogether 12 named persons alongwith 20-25 unknown persons have been made accused in the present case.

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 learned J.M., 1st class, Nawada in connection with Narhat P.S. case No.31 of 2016, 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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