

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8356 of 2021

Arising Out of PS. Case No.-64 Year-2020 Thana- NAWADA MUFFASIL District- Nawada

SINTU KUMAR ALIAS SURILA RAJ SON OF MUNI LAL PRASAD
ALIAS MUNILAL YADAV R/O VILLAGE AASADHI TOLA
LAKSHMIPUR PS-MUFFASIL DISTRICT-NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mr. A.G.
For the informant : Mr. Bhavesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-01-2022 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 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 Nawada
Muffasil P.S. Case No. 64 of 2020 registered for the offence
under Sections 147, 148, 149, 341, 323, 324, 307, 504, 506 of
the Indian Penal Code and 27 of the Arms Act.



The petitioner is alleged to have fired upon the informant which hit on his thigh.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The injury sustained by the informant is on non-vital part of the body. The nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is attracted 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 aforesaid facts and circumstances of the case, 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 Chief Judicial Magistrate, Nawada in connection with Nawada Muffasil P.S. Case No. 64 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 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)

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