

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67668 of 2021**

Arising Out of PS. Case No.-93 Year-2021 Thana- SANGRAMPUR District- Munger

RAHUL KUMAR S/o Late Mohan Ram Resident of Village - Balia, P.S.
Sangrampur, District – Munger

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anurag Saurav, Adv.

Mr. Abhinav Alok, Adv.

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 15-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks anticipatory bail in connection with Sangrampur P.S. Case No. 93 of 2021, registered under Sections 302,379/34 of the Indian Penal Code, 1860.

The allegation made in the F.I.R. is that the informant's husband were assaulted on 22.04.2021 at 7 O'clock by the petitioner and others. It has also been alleged that mobile phone and seven thousand rupees was also snatched from him. On 23.04.2021 there was a marriage of the informant's sister. On 27.04.2021, when the health of informant's husband was deteriorated, informant's husband was taken to Primary Health Centre, Sangrampur, subsequently to Tarapur and then to Bhagalpur where he was declared dead. Thereafter, the present F.I.R. has been lodged on 27.04.2021 naming petitioner and others as accused in the present case.

Learned counsel for the petitioner submits that alleged occurrence date is 22.04.2021 and filing of F.I.R. is on 27.04.2021. He categorically submits that during that period it was the pandemic Covid-19, was spread in the area. Petitioner submits Annexure-3, it is the test report of deceased (husband of the informant) which shows that on 27.04.2021 he was Covid positive. There is a doubt that what is the actual cause of death of the deceased, whether due to assault or due to covid pandemic.

Learned A.P.P. has opposed the prayer for bail.

In the present facts and circumstances of the case, let the petitioner, above-named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.Ist, Munger, in connection with Sangrampur P.S. Case No.93 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Dr. Anshuman, J)

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