

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69086 of 2021**

Arising Out of PS. Case No.-1685 Year-2019 Thana- DARBHANGA COMPLAINT CASE  
District- Darbhanga

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1. SATISH KUMAR SINGH @ SAROJ KUMAR SINGH Son of Sri Ashok Kumar Singh Resident of Village - Godhiyari, P.S.- Bishanpur, District - Darbhanga.
  2. Krishna Devi Wife of Sri Ashok Kumar Singh Resident of Village - Godhiyari, P.S.- Bishanpur, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudha Devi Wife of Sri Dilip Kumar Singh Resident of Village - Godhiyari, P.S.- Bishanpur, District - Darbhanga.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Manish Kumar No 13  
For the Opposite Party/s : Mr.Madhura Nand Jha

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      04-01-2022                      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 petitioners and learned APP 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 a



case registered under Sections 354B and 325/34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons tried to outrage the modesty of the complainant.

It has been submitted on behalf of the petitioners that the petitioner no. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. For oblique reasons, the alleged occurrence is said to have taken place. From perusal of the order of the Sessions Court, it appears that the process under Sections 82 Cr.P.C. has been issued. It has been submitted that the petitioners have not yet been declared as proclaimed offender. Hence, the present application is maintainable. The petitioner no. 2 is a lady.

On behalf of the State, it is 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 Sri Sandeep Kumar Singh, learned Judicial Magistrate, 1<sup>st</sup> Class, Darbhanga in connection with Complaint Case No. 1685 of 2019, 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)**

Pankaj/-

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