

IN THE HIGH COURT OF JUDICATURE AT PATNA**CRIMINAL Miscellaneous No. 21802 of 2020**

Arising Out of PS. Case No.-5 Year-2020 Thana- Kanti District- Muzaffarpur

Papu Kumar, aged about 30 years, Male, S/o Suraj Rai, resident of Village Kanti Kushi, Ward No.4, P.S. Kanti, District- Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mahendra Thakur, Adv.

For the State : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 15-07-2020 Filing through email of the present application has been accepted in view of the out-break of COVID-19 Pandemic and has been posted before me for hearing through video conferencing.

The application is apparently not in accordance with the provisions prescribed under the Patna High Court Rules which do not contemplate filing of application through email. In spite of that, considering the extra-ordinary situation, filing of the present application has been allowed through email.

Considering the situation prevailing, the Court has considered, for the present, to ignore the deficiency in filing of the application.

Heard Mr. Mahendra Thakur, learned counsel for the petitioner and Mr. Shantanu Kumar, learned Additional Public Prosecutor for the State.



The petitioner seeks pre-arrest bail in connection with Kanti P.S. Case No. 5 of 2020 registered under Sections 341, 323, 498-A, 379 and 504/34 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition At.

Considering the nature of the offence and the submission made on behalf of the petitioner that after the petitioner filed matrimonial suit vide Divorce Suit No. 380 of 2018 under Section 13-B of the Hindu Marriage Act on 14.09.2018 in the court of Principal Judge, Family Court, Muzaffarpur seeking a decree for divorce as well as for declaration of marriage to be null and void, the informant instituted the present case on 01.01.2020, in the event of arrest or surrender, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the lik amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Muzaffarpur in connection with Kanti P.S. Case No. 5 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Since, there is a State wide lockdown, the Court has considered it appropriate to adopt the following procedure for communication of the present order :-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall
- ted to me on my email by the Senior



Secretary.

- (ii) The corrected copy of the order shall be transmitted by me from my email id to the Senior Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) The said order shall be communicated to the Court for the needful by the Senior Secretary through email.
- (v) Let a copy of the order be sent to Mr. Mahendra Thakur, learned counsel for the petitioner also on his email.
- (vi) Let steps be taken by the registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

Pradeep/-

U		T	
---	--	---	--

