

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19878 of 2020

Arising Out of PS. Case No.-233 Year-2018 Thana- AMNAUR District- Saran

=====

Satish Kumar Singh @ Satish Singh @ Mantu Singh Son of Adalat Singh,
resident of Village- Bishwambhar Chapra, Police Station- Amnour, District-
Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr.Satya Prakash, Advocate
For the Opposite Party : Mr. Shantanu Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-08-2020 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. Satya Prakash, 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 Amnour P.S. Case No.233 of 2018 registered under Sections 406, 420/34 of the Indian Penal Code.

It is contended by the learned counsel for the petitioner that the petitioner is a proprietor of State Bank of India, CSP (Customer Service Point), Basantpur whereas the informant is holding account with State Bank of India, CSP, Jagdishpur and she had no occasion to come to the petitioner's CSP for withdrawal of the amount. It is further contended that though the alleged date of occurrence of offence is 06.02.2018, the FIR has been registered after long delay on 01.12.2018. Advancing his argument further, he has contended that in the inquiry conducted by the DCLR, Madhaura, Saran also, complicity of the petitioner in the offence alleged has not transpired.

Learned Additional Public Prosecutor for the State has opposed the application for grant of pre-arrest bail to the petitioner

Considering the nature of the offence, the facts and circumstances of the case, delay caused in registration of the



FIR and the submission that the petitioner has got roots in the society and is not likely to abscond or tamper with the evidence, he is directed to be released on bail, in the event of his arrest or surrender, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 2nd, Saran at Chapra in connection with Amnour P.S. Case No.233 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered 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 be communicated to me on my email by the Sr. Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my email id to the Sr. 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) Let a copy of the order be sent to Mr. Satya Prakash, learned counsel for the petitioner also on his email.
- (v) Let steps be taken by the Sr. Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

kanchan/-

(Ashwani Kumar Singh, J)

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

