

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21962 of 2020

Arising Out of PS. Case No.-543 Year-2019 Thana- BIHTA District- Patna

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Mukesh Kumar Son of Shri Gorakh Rai Resident of Village - Amnabad, P.S.-
Bihta, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Nilesh Kumar, Advocate
For the Opposite Party : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-11-2020 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State via video

conferencing.

2. By way of the instant application preferred

under Sections 439 and 440 of the Code of Criminal Procedure,

the petitioner has renewed his prayer for grant of bail in

connection with Bihta P.S. Case No.543 of 2019 registered

under Section 414/34 of the Indian Penal Code. Earlier, his

prayer for bail was rejected by this Court vide order dated

04.12.2019 passed in Cr. Misc.63145 of 2019 with observation

that in case the trial is not concluded within six months, the

petitioner would be at liberty to renew his prayer for bail.

3. It is submitted by the learned counsel for the



petitioner that though charge has been framed against the petitioner, but the trial has not proceeded. It is further contended that no witness has been examined in the case so far.

4. Learned Additional Public Prosecutor for the State has opposed the prayer for grant of bail to the petitioner.

5. Considering the nature of allegation, the submissions made above and the observations made in the previous order dated 04.12.2019 passed in Cr. Misc.63145 of 2019, 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 like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur in connection with Bihta P.S. Case No.543 of 2019.

6. 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 e-mail by the Senior Secretary.



- (ii) The corrected copy of the order shall be transmitted by me from my e-mail 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) Let steps be taken by the Senior Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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