

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22330 of 2020

Arising Out of PS. Case No.-119 Year-2019 Thana- BIHARIGANJ District- Madhepura

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Dhiren Paswan Son of Dilip Paswan Resident of Village- Terasi Tola Rahi
Jagatpur, Ward No. 11, P.S.- Bihariganj, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Diwakar Yadav, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 31-08-2020 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 learned counsel for the petitioner and



learned Additional Public Prosecutor for the State.

Petitioner seeks bail in connection with Bihariganj P.S. Case No. 119 of 2019 registered for the offences punishable under Section 302 read with 34 of the Indian Penal Code.

Considering the gravity of the offence and the allegations against the petitioner that he assaulted with a spade on the head of the informant's sister Kanchan Devi as a result of which she died, I am not inclined to grant him bail. The prayer for bail is rejected.

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 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) Let a copy of the order be sent to Mr. Diwakar Yadav learned counsel for the petitioner also on his email.
- (v) 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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