

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21504 of 2020

Arising Out of PS. Case No.-308 Year-2019 Thana- LAKHNAUR District- Madhubani

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Bigyan Kumari W/o Shri Ramu Ram Resident of Village- Daiya Kharwar,
P.S.- Lakhnaur, District- Madhubani.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Adv.

For the Opposite Party/s : Dr. Mritunjay Kumar Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 04-11-2020 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. Inspite 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 counsel for the State.

The Petitioner seeks bail in connection with



Lakhnaur P.S. Case No. 308 of 2019 registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that the petitioner has no concern in any manner with the alleged occurrence. He contended that the petitioner is a lady and her involvement is merely on suspicion and uncorroborated call detail record (CDR).

On the other hand, learned counsel for the State submitted that during investigation, it transpired that the deceased had illicit relationship with the petitioner and on the date of occurrence, it was the petitioner, who had called him by her phone.

Be that as it may, considering that it is a case of circumstantial evidence and the petitioner being a lady is in custody since 19.12.2019 as also that the investigation of the case is over, she 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 A.C.J.M. 1st, Jhanjharpur in connection with Lakhnaur P.S. Case No. 308 of 2019.

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 Sr. Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my e-mail 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 steps be taken by the Sr. 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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