

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21930 of 2020

Arising Out of P.S. Case No.-03 Year-2020 Thana-Banka (Mahila) District-Banka

- =====
1. Meena Devi, aged 60 years (female), wife of Jyotish Prasad Singh,
 2. Jyotish Prasad Singh, aged 65 years (male) son of late Chandra Mohan Singh
- Both resident of village- Kenduar, Police Station- Amarpur, District-Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Mukherjee, Advocate
Mr. Ganesh Sharma, Advocate
For the Opposite Party : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 23-07-2020 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. 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 Mr. Ajay Mukherjee, learned counsel for the petitioners and Mr. Narendra Kumar Singh, learned Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with Banka (Mahila) P.S. Case No.03 of 2020 registered under Section 498-A read with 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

Considering the nature of the offence, the allegations made in the FIR and the submissions advanced on behalf of the parties, the petitioners, who are mother-in-law and father-in-law respectively, are directed to be released on bail, in the event of their arrest or surrender, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Banka in connection with Banka (Mahila) P.S. Case No.03 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 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. Ajay Mukherjee, learned counsel for the petitioners also on his email.
- (v) Let steps be taken by the Senior Secretary for uploading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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