

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21968 of 2020

Arising Out of PS. Case No.-280 Year-2019 Thana- RAJAOLI District- Nawada

=====

Vishwanath Sah, Son of Late Ramchandra Sah, R/o Purani Bazar, P.S.-
Motipur, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Senior Advocate
		Mr. Dhananjaya Nath Tiwari, Advocate
For the Opposite Party	:	Ms. Sharda Devi, 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. N.K. Agrawal, learned senior advocate for the petitioner and Ms. Sharda Devi, learned Additional Public



Prosecutor for the State.

The petitioner has filed the present application under Sections 439 and 440 of the Code of Criminal Procedure for grant of bail in connection Rajouli P.S. Case No. 280 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Considering the recovery of 4,400 liters of illicit liquor from a truck at Rajouli check-post and the driver of truck took name of the petitioner as the person on whose instruction he was carrying the liquor as also the fact that the petitioner is involved in 19 other cases of similar nature, I am not inclined to grant him bail even though he is in custody since 29th March, 2020. 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. Dhananjay Nath Tiwari, 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.)

Sanjeet/-

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

