

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22075 of 2020

Arising Out of P.S. Case No.-10 Year-2020 Thana-Bandhua Kuraba District-Banka

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Samar Murmu, S/o Late Mangal Murmu, R/o Village-Badhawa, Police
Station-Bandhuwa Kuraba, District-Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Advocate
Mr. Ganesh Sharma, Advocate
For the Opposite Party : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 13-08-2020 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.

The petitioner has filed the present application under Sections 439 and 440 of the Code of Criminal Procedure for grant of bail in connection with Bandhua Kuraba P.S. Case No.10 of 2020 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Considering the period of about five months undergone by the petitioner in custody as an under trial prisoner for the alleged offence of possessing 20 liters of country made liquor, he 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 Additional Sessions Judge-II, Banka in connection with Bandhua Kuraba P.S. Case No.10 of 2020.

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 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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