

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22301 of 2020

Arising Out of PS. Case No.-141 Year-2020 Thana- SARAIYA District- Muzaffarpur

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1. Laldev Ram S/o Tulsi Ram Resident of Village- Gopinathpur Dokra, P.S.- Saraiya, Distt- Muzaffarpur.
 2. Vinay Kumar S/o Late Hirdaya Rai Resident of Village- Manikpur, P.S.- Saraiya, Distt- Muzaffarpur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ratanakar Jha, Advocate
For the Opposite Party : Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 10-09-2020 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 petitioners and learned Additional Public Prosecutor for the State.

The petitioners have filed the present application under Sections 439 and 440 of the Code of Criminal Procedure for grant of bail in connection with Saraiya P.S. Case No.141/2020 corresponding to G.R. No.409/2020 registered under Sections 272, 275/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Considering the nature of the offence and the period undergone by the petitioners in custody, they are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Saraiya P.S. Case No.141/2020 corresponding to G.R. No.409/2020.

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. Ratanakar Jha, learned counsel for the petitioners 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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