

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25189 of 2020

Arising out of PS. Case No.-700 Year-2019 Thana- GARDANIBAG District- Patna

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Aman Raj @ Tengari S/o Sri Anil Kumar, Resident of Aam Bagicha, Road
No.6-C, Mahadev Puri, P.S.-Gardanibagh, District-Patna.... ... Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-09-2020 The Court proceeding has been conducted through
virtual mode.

Heard learned counsel for the petitioner and learned
APP for the State.

Since the court proceeding in physical mode is non-
functional, due to present pandemic, COVID-19, the matter is
listed with defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of court
proceeding in physical mode. In the eventuality of non-removal
of defects within undertaken period, the office will place the
matter before the bench.

The petitioner is languishing in custody since
03.01.2020 in a case registered for the offences punishable
under Sections 452/380 of the Indian Penal Code, hence, the
prayer for bail has been made through the present application.



The prosecution case, as per the written report of Kushum Kumari submitted to the Station House Officer, Gardanibagh, Patna is to the effect that on 18.11.2019 at 6.30 P.M., the informant after having returned from Doctor's clinic found the lock of her house broken and the household articles were found scattered and the theft was of jewellery and other articles was committed leading to the registration of FIR against unknown.

It is submitted by learned counsel for the petitioner that recovery has not been made from the possession of the petitioner and the name of the petitioner sprang up on the confessional statement of co-accused during investigation and investigation has already been concluded. A statement has been made in paragraph no. 3 of the petition that the petitioner is accused in one other case in which he is on bail.

Learned APP for the State submits that the name of the petitioner sprang up on the confessional statement of co-accused during investigation.

Considering the fact that the investigation has already been concluded, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Sub-



Judge-XIV-cum-ACJM, Patna in connection with Gardanibagh
P.S. Case No. 700 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned learned Sub-Judge-XIV-cum-ACJM, Patna in connection with Gardanibagh P.S. Case No. 700 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

Accordingly, the application stands disposed of.

(Dinesh Kumar Singh, J)

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