

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22299 of 2020

Arising Out of PS. Case No.-42 Year-2020 Thana- BALRAMPUR District- Katihar

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Mithlesh Kumar @ Mithilesh Kumar, S/o Brahmdeo Mahto, R/o Laxmipur,
P.S. Bihariganj, District-Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 07-10-2020 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 learned counsel for the petitioner and



learned counsel for the State.

The Petitioner seeks bail in connection with Balrampur P.S. Case No. 42 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Considering the nature of offence, the allegation in the FIR regarding recovery of 167.67 liters of foreign liquor from Bolero vehicle occupied by the petitioner and one another and the period of over six months undergone by him in custody, 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 the learned Additional Sessions Judge-II-cum-Special Judge, Excise, Katihar in connection with Balrampur P.S. Case No. 42 of 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 Sr. Secretary.



- (ii) The corrected copy of the order shall be transmitted by me from my email id to the Sr. 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. Sanjeev Kumar Singh, learned counsel for the petitioner also on his email.
- (v) Let steps be taken by the Sr. Secretary/registry for uploading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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