

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22272 of 2020

Arising Out of PS. Case No.-18 Year-2019 Thana- PIPRA District- Supaul

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Arun Kumar Yadav, S/o Satya Narayan Yadav, Resident of Village- Shiv
Nagar, P.S.- Triveniganj, Distt- Supaul, Pin 852139

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjit Jha, Advocate

For the Opposite Party : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 25-08-2020

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 Pipra P.S. Case No.18 of 2019 registered under Section 392 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that the petitioner is neither named in the first information report nor any incriminating article has been recovered from his possession nor he has been put on Test Identification Parade. It is further contended that the name of the petitioner is involved in the present case on the basis of confessional statement of co-accused Md. Mustkim, who has already been granted bail by a Bench of this Court vide order dated 01.10.2019 passed in Cr. Misc. No.51651 of 2019.

Learned Additional Public Prosecutor for the State has opposed the application for grant of bail to the petitioner.

Considering the facts and circumstances of the case and the reasons assigned in the order dated 01.10.2019 passed in Cr. Misc. No.51651 of 2019, the petitioner 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 A.C.J.M.-VI, Supaul in connection with Pipra P.S. Case No.18 of 2019.

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. Ranjit Jha, 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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