

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23371 of 2020

Arising Out of PS. Case No.-47 Year-2020 Thana- MOTIPUR District- Muzaffarpur

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Harendra Rai S/o Late Bhuneshwar Rai R/o Village- Mohammadpur, Balmi
Tole, Purani Bazar, P.S.- Motipur, District- Muzaffarpur, Bihar.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 12-10-2020 Filing through e-mail 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 e-
mail. In spite of that, considering the extra-ordinary situation,
filing of the present application has been allowed through e-
mail.

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 Motipur P.S. Case No. 47 of 2020 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 41(1)(2) of the Bihar Prohibition & Excise Act.

Considering the nature of offence, allegation of recovery of 70 liters spirit from the hut of the petitioner for which he is in custody since 01.03.2020 and the statement made in paragraph-3 of the application that he has got no criminal antecedent, 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 Special Judge, Excise, Muzaffarpur in connection Motipur P.S. Case No. 47 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 e-mail by the Sr. Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail 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. Anish Kumar, learned counsel for the petitioner also on his e-mail.

(v) Let steps be taken by the Sr. 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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