

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.362 of 2020

Arising Out of PS. Case No.-206 Year-2019 Thana- DORIGANJ District- Saran

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1. Rahul Kumar, S/o Sipahi Ray.
2. Vishal Kumar, S/o Sipahi Ray.
Both R/o Village-Dumari Mukund, P.S. Doriganj, District-Saran.
(Under the guardianship of Usha Devi, W/o Sipahi Ray, who is mother of petitioners).

... .. Petitioners

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate
For the Respondent/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 31-08-2020 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.



Mr. Mukesh Kumar Singh, learned counsel for the petitioners seeks leave to withdraw the present application as the petitioners have been granted leave by the Juvenile Justice Board, Saran. He submits that once leave would expire and the petitioners would appear before the Juvenile Justice Board and their prayer for bail would be rejected, they should be granted liberty to file fresh application for bail before the Juvenile Justice Board in accordance with law.

In view of the submissions made above, leave is granted with liberty to the petitioner to renew their prayer for bail before the Juvenile Justice Board after their leave expires and they are taken back in the observation home/place of safety.

With the aforementioned observations and liberty, the application is disposed of as withdrawn.

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. Mukesh Kumar Singh, 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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