

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22303 of 2020

Arising Out of PS. Case No.-70 Year-2019 Thana- SIRDALA District- Nawada

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Shankar Chaudhary Son of Late Mahendra Chaudhary, resident of Village -
Jandhaul, P.S.- Sirdala, District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Deo Raj, Advocate
For the Opposite Party : Ms Renuka Ratnakar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-08-2020 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 Sirdala P.S. Case No. 70 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

Considering that similarly circumstanced two other co-accused, namely, Vijay Chaudhary and Heera Chaudhary have been granted bail by co-ordinate Bench of this Court vide order dated 04.06.2019 and 18.10.2019 passed in Cr. Misc. Nos.36074 of 2019 and 64921 of 2019 respectively, the petitioner, who is in custody since 19.04.2020, 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 learned Additional District Judge-II-cum-Special Judge Excise, Nawada in connection with Sirdala P.S. Case No. 70 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. Krishna Deo Raj, 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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