

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21822 of 2020

Arising Out of P.S. Case No.-89 Year-2019 Thana-Kochadhaman District-Kishanganj

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1. Adil Ashraf, S/o Md. Ataur Roshan, R/o Village-Rangamari,
P.S. Kochadhaman, District-Kishanganj.
 2. Naim Akhtar, S/o Late Islamuddin, R/o Village-Rangamari,
P.S. Kochadhaman, District-Kishanganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Alok Kumar Alok, Adv.
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Ajit Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 17-07-2020 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 Mr. Alok Kumar Alok, learned counsel for the petitioners, Mr. Jitendra Kumar Singh, learned Additional Public Prosecutor for the State and Mr. Ajit Kumar, learned counsel for the informant.

The petitioners seek pre-arrest bail in connection with Kochadhaman P.S. Case No. 89 of 2019 registered for the offences punishable under Sections 364, 302 and 201/34 of the Indian Penal Code.

Considering the gravity of the offence and the serious nature of allegation, I am not inclined to grant pre-arrest bail to the petitioners, whose names have transpired during the course of investigation and the police may require their custodial interrogation. Accordingly, their prayer for grant of pre-arrest bail is rejected.

Since, there is a State wide lockdown, the Court has considered it 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) The said order shall be communicated to the Court for the needful by the Sr. Secretary through email.
- (v) Let a copy of the order be sent to Mr. Alok Kumar Alok, learned counsel for the petitioners also on his email.
- (vi) 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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