

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22297 of 2020

Arising Out of PS. Case No.-205 Year-2019 Thana- NAUBATPUR District- Patna

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Guddu Kumar, Son of Malik Ray, Resident of Village - Kaharichak (Deo Nagar), P.S. and P.O.- Naubatpur, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Sayed Imran Ghani, Advocate
		Mr. Saket Anand, Advocate
For the Opposite Party	:	Mr. Rajballabh Singh, 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 Naubatpur P.S. Case No.205 of 2019 registered under Sections 354B, 376, 511, 506, 379 read with 34 of the Indian Penal Code and Section 10 of the Protection of Children from Sexual Offences Act, 2012.

Considering that co-accused Bablu @ Bablu Kumar against whom there is identical allegation as against the petitioner has already been granted bail by a Bench of this Court vide order dated 29.05.2020 passed in Cr. Misc. No.84627 of 2019, the petitioner, who is in custody since 21st October, 2019 and as stated in para 3 of the application that he is not involved in any other case, 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 Additional Sessions Judge-I-cum-Special Judge, POCSO Act, Patna in connection with Naubatpur P.S. Case No.205 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. Syed Imran Ghani, 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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