

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22320 of 2020

Arising Out of PS. Case No.-19 Year-2020 Thana- KUMAR KHAND District- Madhepura

Mantosh Kumar @ Bengwa, Son of Late Kari @ Narayan Yadav, Resident of
Village- Gopalpur (Belha), P.S.- Kumarkhand (Bhatni), District - Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party : Dr. Mrityunjaya Kumar Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 15-09-2020 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 Kumarkhand P.S. Case No. 19 of 2020 registered under Section 394 of the Indian Penal Code.

Regard being had to the fact that the petitioner is not named in the first information report and his name transpired in course of investigation on the basis of confessional statement of a co-accused, who has already been granted bail by the court below, 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 Sessions Judge, Madhepura in connection with Kumarkhand P.S. Case No.19 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 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. Praveen Kumar Agrawal, 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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