

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23360 of 2020

Arising Out of PS. Case No.-225 Year-2014 Thana- PIPRA District- East Champaran

=====

Shatrohan Mukhiya @ Shatrudhan Mukhiya Son of Baiju Mukhiya Resident
of Village- Hasuaha, P.S.- Muffasil, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Shantanu Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-10-2020 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 learned counsel for the petitioner and



learned counsel for the State.

The Petitioner seeks bail in connection with Pipra P.S. Case No. 225 of 2014 registered for the offences punishable under Sections 363, 366 and 366A/34 of the Indian Penal Code.

Considering that the present case was instituted on 4.10.2014 for an occurrence which is said to have taken place on 18.09.2014 as also that the victim whose statement was recorded after 25 days on 13.10.2014 and whose age was assessed by the court below as 18 years, has not stated in her statement made under Section 164 of the Cr.P.C. that she was forced or induced to illicit intercourse with another person, the petitioner 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 C.J.M., Motihari, East Champaran in connection with Pipra P.S. Case No. 225 of 2014.

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 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) Let a copy of the order be sent to Mr. Vijay Shankar Shrivastava, learned counsel for the petitioner also on his email.
- (v) Let steps be taken by the Sr. Secretary/registry for uploading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

rohit/-

U		T	
---	--	---	--

