

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23399 of 2020

Arising Out of PS. Case No.-77 Year-2020 Thana- MINAPUR District- Muzaffarpur

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Awdhesh Rai @ Bakariya S/o Binod Rai Resident of Village-Mothahanmal,
P.S.-Minapur, District-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Adv.

For the Opposite Party/s : Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-10-2020 Filing through e-mail 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 e-

mail. In spite of that, considering the extra-ordinary situation,

filing of the present application has been allowed through e-

mail.

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 Minapur P.S. case no. 77 of 2020 registered for the offence punishable under Sections 399, 402, 414 of the I.P.C. and Sections 25(1-B)(a), 26 and 35 of Arms Act.

Considering the period of about eight months undergone by the petitioner in custody for the alleged recovery of a country made loaded pistol from his possession and the statement made in paragraph-3 of the application that the petitioner has got no criminal antecedent, 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 Chief Judicial Magistrate, Muzaffarpur in connection with Minapur P.S. case no. 77 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 e-mail by the Sr. Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail 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. Sanjay Parasmani, learned counsel for the petitioner also on his e-mail.

(v) 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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