

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25191 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- KALUAHI District- Madhubani

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Laxmi Kumar Yadav S/o- Dev Shankar Yadav Resident of Village- Narar
Uttarbari Tola, P.S.- Kaluahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramchandra Jha Raman

For the Opposite Party/s : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-09-2020 The Court proceeding has been conducted through
virtual mode.

Heard learned counsel for the petitioner and
learned APP for the State.

Since the court proceeding in physical mode is
non-functional, due to present pandemic, COVID-19, the matter
is listed with defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of court
proceeding in physical mode. In the eventuality of non-removal
of defects within undertaken period, the office will place the
matter before the bench.



The petitioner is languishing in custody since 31.01.2020 in a case registered for the offences punishable under Sections 468, 471 and 414/34 of the Indian Penal Code, hence, the prayer for bail has been made through the present application.

The prosecution case, as per the written report of A.S.I., Jawaharlal Ram submitted to the Station House Officer, Kaluahi Police Station, is to the effect that on 29.01.2020 during evening patrolling, a secret information was received that one person is going to Nepal to bring liquor, consequently, the petitioner was apprehended along with motorcycle but he did not produce paper with regard to the motorcycle, leading to registration of the case.

It is submitted by learned counsel for the petitioner that the petitioner was not aware about the motorcycle being stolen one and investigation has already been concluded. Though the petitioner is accused in one another case but he is on bail in that case.

Learned APP for the State submits that the petitioner was apprehended along with stolen motorcycle.

Considering the fact that the investigation has already been concluded and period under custody, let the



petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Judicial Magistrate, Ist Class, Madhubani in connection with Kaluahi P.S. Case No. 17 of 2020.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Madhubani in connection with Kaluahi P.S. Case No. 17 of 2020.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three



months.

Accordingly, the application stands disposed of.

(Dinesh Kumar Singh, J)

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