

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 12291 of 2020**

Arising Out of PS. Case No.-157 Year-2019 Thana- GHORASAHAN District- East
Champaran

=====

MEGHNATH KUMAR S/o Nagendra Baitha Resident of Village- Chanari,
P.S.- Jitna, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms Rashmi Jha, Advocate

For the Opposite Party/s : Mr Anuj Kumar Shrivastava, APP

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 02-06-2020 The matter has been listed today for consideration
through Video Conferencing.

Learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings with the
aid of audio visual technology.

Heard Ms Rashmi Jha, learned counsel for the
petitioner as well as Mr Anuj Kumar Shrivastava, learned APP
for the State.

Petitioner seeks bail in a case registered under Section
302 of Indian Penal Code.

On 06.05.2019, the informant lodged a written report
that on 05.05.2019 at about 10 am, Meghnath Kumar



(petitioner) called her husband in hotel situated in front of Punjab National Bank. Her allegation is that petitioner has killed her husband by stabbing.

Petitioner's counsel would submit that from the first information report itself, it is apparent that informant was not an eye witness. The petitioner has been implicated on suspicion. The case diary does not reveal that there is any eye witness to the alleged occurrence. The petitioner was in fact an employee in the hotel wherein the informant's husband has been done to death. It is further submitted that the petitioner and deceased are full brothers.

Learned APP for the State has opposed the prayer for bail referring to the case diary. It is submitted that some persons have seen the petitioner running away from the place of occurrence. There is also a motive which has been revealed in the course of investigation regarding some money earlier being taken by the petitioner from the informant. There is also material to indicate that the petitioner and other family members were not liking the informant's relationship with the deceased (husband) and were opposing their living together. It is under these circumstances that the petitioner is facing prosecution.

Considering the rival submissions and the gravity of



the allegations, this Court, for the present, is not inclined to
allow the prayer for bail. The same is rejected.

(Madhuresh Prasad, J)

M.E.H./-

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

