

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20356 of 2020**

Arising Out of PS. Case No.-252 Year-2019 Thana- UCHKAGAON District- Gopalganj

ABHAY DUBEY @ ABHAY KUMAR DUBEY S/o Shri Ram Dubey R/o
Village- Balesara, P.S.- Uchakagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad
For the Opposite Party/s : Mr.Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

3 08-09-2020 The court proceeding has been conducted through
virtual mode.

Since the court proceeding is not functional in
physical mode, due to present Pandemic, Covid -19, the present
case has been listed with defects.

Learned counsel for the petitioner undertakes to
remove the defect(s) within a period of four week of resumption
of court proceeding in physical mode.

If the defect(s) is not removed within the undertaken
period, the office will place the matter again.

Heard learned counsel for the petitioner and the State.

The petitioner, being the husband of the victim is
languishing in custody since 22.10.2019, in a case registered for
the offence punishable under Section 302 of the IPC.



The prosecution case, as per the written report of Narvadeshwar Tiwary, submitted to the Station House Officer, Uchakagaon Police Station is to the effect that daughter of the informant Geeta Devi @ Ginni Devi was married with the petitioner, but the petitioner used to assault her. On 21.10.2019 at about 8.30 A.M., the informant received a information through mobile phone that the petitioner has killed the daughter of the informant with some sharp cutting weapon.

Learned counsel for the petitioner submits that the petitioner used to reside abroad and maliciously, the petitioner has been roped in the present case since the conduct of the victim was doubtful. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. Moreover, investigation has already been concluded and in the present situation, created due to pandemic, Covid-19, since the court proceeding is not functional in physical mode, there is no likelihood of trial being concluded in near future.

Learned APP for the State submits that the thrust of accusation is against the petitioner being the husband of the victim.

Considering the fact that from the perusal of the case diary, it appears that Yogendra Dubey and Meena Devi,



being the mother of the petitioner have specifically stated that petitioner killed the victim with sharp cutting weapon, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, in connection with Uchakagaon P.S. Case No. 252 of 2019, pending in the Court of learned ACJM-IX, Gopalganj is rejected.

Let the trial be expedited.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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