

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.26249 of 2020**

Arising Out of PS. Case No.-573 Year-2019 Thana- SHERGHATI District- Gaya

Vikrant Kumar @ Vicky @ Vicky Kumar S/o Bhawani Seth Resident of
Village-Tandwa, Police Station-Tandwa, District-Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Satyanand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 10-12-2020 Heard learned counsel for the petitioner and Mr.
Satyanand Shukla, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Sherghati (Dobhi) P.S. Case No. 573 of 2019 registered for the offences punishable under Sections 306 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that for the allegation that this petitioner had committed rape on the deceased a separate case under Section 376/120B and 34 of the Indian Penal Code has been lodged. So far as the present case is concerned, learned counsel submits that the suicide note which has been planted later on as the same does not form part of the seizure list has yet not been verified and at best the allegation against the petitioner is that because he did not solemnised



marriage with the deceased, she committed suicide.

On the other hand, Mr. Satyanand Shukla, learned APP for the State submits that there are ample materials in paragraph '7', '8', '9' and '12' of the case diary wherein the witnesses have supported the prosecution case and it has come in course of investigation that this petitioner had earlier established physical relationship with the deceased after administering her some intoxicant substance and thereafter the same act was repeated under allurement that he would marry the deceased.

Having regard to the facts and circumstances of the case, considering the totality of the circumstances, the seriousness of the allegations and the materials pointed out to this Court from the case diary, this Court is not inclined to grant regular bail to the petitioner.

The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Rajeev

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

