

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21882 of 2020

Arising Out of P.S. Case No.143 Year-2019 Thana-Morkahi District-Khagaria

- =====
1. Guriya Kumari aged about 21 years female, Daughter of Purushottam Poddar.
 2. Bhavish Kumar aged about 23 years Male son of Purushottam Poddar
Both resident of village- Marrar south, Police Station- Morkahi, District-
Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners	:	Mr. Binod Kumar Sinha, Advocate
		Mr. Shishir Kumar Shishir, Advocate
For the Opposite Party	:	Mr. Uma Shankar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 21-07-2020 Filing through email 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 email. In spite of that, considering the extra-ordinary situation, filing of the present application has been allowed through email.

Considering the situation prevailing, the Court has



considered, for the present, to ignore the deficiency in filing of the application.

Heard Mr. Binod Kumar Sinha, learned counsel for the petitioners and Mr. Uma Shankar Prasad, learned Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with Morkahi P. S. Case No. 143 of 2019 registered under Section 304-B read with 34 of the Indian Penal Code.

Considering the gravity of the offence and the allegation that the petitioners along with their other family members set the victim on fire and thrown her body into a pond and that the victim herself disclosed their name to the informant when she was taken to hospital by the co-villagers, I am not inclined to grant them pre-arrest bail. The application is rejected.

In case, the petitioners surrender and seek bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

Since, there is a State wide lockdown, the Court has considered it 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 email by the Secretary.

- (ii) The corrected copy of the order shall be transmitted by me from my email id to the 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. Binod Kumar Sinha, learned counsel for the petitioner also on his email.
- (v) Let steps be taken by the Secretary for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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