

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21791 of 2020

Arising Out of PS. Case No.-143 Year-2019 Thana- MORKAHI District- Khagaria

Sulekha Devi, W/o Purushottam Poddar, Resident of Village-Marar South,
Police Station-Morkahi, District-Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 22-09-2020 This application has been listed under the heading “To
Be Mentioned” by the registry.

On perusal of the office notes, I find that the order passed in the instant case on 15.07.2020 has not been properly uploaded. Though the order passed by the Court on 15.07.2020 is available on the record, it appears that while uploading the said order on JWIMS, due to secretarial inadvertence, the order passed in another case, i.e. Cr.Misc. No. 21789 of 2020 was pasted and mailed to the court below.

Learned District & Sessions Judge, Khagaria has sent an e-mail to the learned Registrar General, Patna on 8th September, 2020 for transmitting the order dated 15.07.2020 passed in Cr.Misc. No. 21791 of 2020 in place of Cr.Misc. No. 21789 of 2020.



In that view of the matter, registry is directed to upload the order dated 15.07.2020 passed in Cr.Misc. No. 21791 of 2020 as available on record, which reads as under :-

**“IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL Miscellaneous No. 21791 of 2020**

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

Sulekha Devi, aged about 68 years, Female, W/o Purushottam Poddar, resident of Village Marar South, P.S. Morkahi, District - Khagaria.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Binod Kumar Sinha, Adv.
For the State : Mr. Kiran Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2. 15-07-2020

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 petitioner and Mr. Kiran Sinha, learned Additional Public Prosecutor for the State.

The petitioner seeks 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 petitioner and others killed the informant's daughter within one year of her marriage in her matrimonial home after sprinkling kerosene oil on her person and setting her on fire, I am not inclined to grant her pre-arrest bail. The application for grant of pre-arrest bail is rejected.

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 Senior Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my email id to the Senior



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) The said order shall be communicated to the Court for the needful by the Senior Secretary through email.
- (v) Let a copy of the order be sent to Mr. Binod Kumar Sinha, learned counsel for the petitioner also on his email
- (vi) Let steps be taken by the registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)”

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I, hereby, direct that whenever any requisition for obtaining certified copy of the order dated 15.07.2020 passed in Cr.Misc. No. 21791 of 2020 is filed, registry shall issue the certified copy of the order dated 15.07.2020 passed in Cr.Misc. No. 21791 of 2020 as recorded hereinabove and not the



inadvertently uploaded order dated 15.07.2020 passed in
Cr.Misc. No. 21789 of 2020.

(Ashwani Kumar Singh, J.)

Pradeep/-

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