

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7887 of 2021

Arising Out of PS. Case No.-198 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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GAURAV KUMAR SON OF LATE NARAYAN PRASAD RO VILLAGE
KATAHAL BARI PS LNMU DHARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 23-08-2021 In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with L.N.M.U. P.S. Case No. 198 of 2019 registered under Sections 304B and 34 of the Indian Penal Code.



The daughter of the informant and her son-in-law have allegedly been killed. The allegations are against the petitioner (dever of the victim girl) and his mother Pramila Devi.

The counsel for the petitioner submits that it is a false case. Co-accused Pramila Devi has been allowed bail in Cr. Misc. no. 70609/2019. The petitioner has lost his brother in the alleged occurrence and the implication is only based on suspicion. The victims have died by consuming poison and therefore, no case would be made out under Section 304B of the I.P.C. The petitioner is stated to be in custody since 6.12.2019.

Report was earlier called for regarding the stage of trial and the case diary was also requisitioned. As per report dated 19.8.2021, the trial is pending for receiving of these papers by the accused persons.

The learned APP has taken the Court through material collected during investigation. Paragraph 44, the I.O. has considered a note-book recovered from the cabinet of the victim wherein she has inscribed the narration of tortured being meted out to her by the petitioner along with his mother-in-law and also threats of life being mated out to her continuously by the instant petitioner soon after she came to the matrimonial home



after her marriage.

Considering the rival submissions as also the facts and material collected during the course of investigation, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the learned APP. This Court, for the present, is not inclined to allow petitioner's prayer for bail. The same is rejected.

Having regard to the fact that in the note-book the victim has specifically made allegations against the petitioner prior to her death.

The prayer for bail is thus rejected.

(Madhuresh Prasad, J)

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