

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32028 of 2021

Arising Out of PS. Case No.-131 Year-2020 Thana- MANER District- Patna

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GOPAL RAI S/o Sheetal Rai Resident of Village- Sahali Chak, P.S.- Maner,
District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Jee Verma, Adv.
For the State	:	Mr. Kumar Veerendra Narayan, APP
For the Informant	:	Mr. Alok Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 10-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant was married to the petitioner about fourteen years ago. It is stated that the petitioner had an extra marital affair and also used to assault the informant's daughter. She was done to death.

It is submitted by learned counsel for the petitioner that the marriage took place fourteen years ago and there has been no complain in the past. There are no eye witness to the



alleged occurrence. There is an inordinate delay of two days in lodging of the F.I.R. The co-accused have been enlarged on bail. On coming to know about the true facts, the informant has filed an affidavit that the F.I.R. was registered without him knowing the contents of the same. The petitioner is in custody since 3.2.2021 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that as per the post-mortem report, the cause of death is said to be cardio respiratory failure due to asphyxia produced by strangulation.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the contents of the post-mortem report and the petitioner being the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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