

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84672 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- KURSAKANTA District- Araria

Shivanand Singh S/O Chaturanand Singh R/O Village- Mehdipur Ward No. 13, P.S- Kursakanta, Distt.- Araria.

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Vijay Kishore Bharti, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Sessions Trial No. 532 of 2024 arising out of Kursakanta P.S. Case No. 84 of 2024 for the offence punishable under sections 302 of the Indian Penal Code lodged on 28.06.2024 by the informant, Mannu Pandey.

3. As per the prosecution story, the informant alleged that after the death of the wife, the daughter (since deceased) was living with maternal grandfather/grandmother. The petitioner who is the maternal uncle (Mousa) had an eye on the minor girl and wanted to marry her at any cost. As per the allegation, he had become such a mental case that he had threatened that she cannot be married to any other place. On



this issue, there was a dispute and allegation is that he put her head in a dig. She anyhow freed herself from the clutches of the petitioner, ran to home in a critical condition, rushed to Primary Health Centre, Kursakantaat where she finally breathe her last. This led to the FIR.

4. Learned counsel for the petitioner submits that contrary to the allegation that has made him as main assailant, it is actually a case of honour killing as the alleged relationship was resented by the father.

5. Learned APP, on the other hand, submits that police investigated the matter, submitted the charge-sheet and now the trial is on inasmuch as the charges have already been framed.

6. Upon query of the Court whether in the circumstance that the petitioner points to a different story alleging it to be a case of honour killing, any petition was ever preferred before the police officials much less the Superintendent of Police of the said district, the answer is in negative.

7. The petitioner has all the rights to raise such questions through his lawyer before the Trial Court and convince the Court in this regard. However, so far as the bail



part is concerned, considering the allegation that has come against him and now the trial is on track, it would be appropriate that he faces it.

8. Accordingly, the bail petitioner stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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