

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45449 of 2014

Arising Out of PS.Case No. -66 Year- 2014 Thana -HASANPUR District-
SAMASTIPUR

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Amrita Devi Wife of Santosh Das Resident of Village- Sakarpura, P.S.
Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-04-2015 Heard both sides.

The petitioner seeks bail in Hasanpur P.S. Case No.
66/2014, registered for the offences punishable under Section 302
of the Indian Penal Code.

The wife of the deceased alleged that the petitioner
Amrita Devi assaulted her husband with piece of bricks for
plucking Jalebi fruits.

The learned counsel for the petitioner submits that on
perusal of the FIR it would appear that the petitioner had no
intention to kill her husband. No serious injury was caused to the
deceased as he remained in his house. The informant did not take
him to any hospital for treatment. She alleged that the condition of
her husband started deteriorating in the night and her husband

died. The case comes within the purview of Section 304A of the IPC.

The petitioner is in jail since 29.05.2014. She has one year child in her lap.

It appears from perusal of the record that there is allegation against the petitioner that he assaulted the deceased Gango Das with bricks. The post-mortem report shows that the deceased got injuries ample bruise on right frontal and occipital region of the body. The third and fourth trachea rings was found fractured. Cervical vertebra was also found fractured and this facts shows that the deceased was repeatedly assaulted with hard and blunt objects such as pieces of bricks.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The petitioner is a lady and she is in jail for about 11 months, the trial court is directed to expedite the trial and conclude the same within six months from the date of receipt of this order. If the trial is not concluded, the petitioner may renew her prayer for bail firstly in the trial court.

(Prabhat Kumar Jha, J.)

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