

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26681 of 2015

Arising Out of PS.Case No. -119 Year- 2014 Thana -KHANPUR District- SAMASTIPUR

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1. Raj Kumari Devi W/o Lal Bahadur Paswan Resident of village - Chak Nandani, P.S. Khanpur, Distt. - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Murlidhar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-10-2015 Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 302 and 201/34 of the I.P.C

On the basis of fardbeyan of Dafadar Wasi Ahmad this case has been registered with allegation that a dead body of girl aged about 20 years was found in a ditch just west to Larai Gandhi Ring Embankment at Bishanpur Sonsa and there was injury in her right eye. During investigation it transpires that the deceased has seen illicit relationship of the petitioner with Suresh Choudhary and then she was assaulted by her parents and others causing her death.

Submission is of false implication and that Soni



Kumari (deceased) was ill and she was admitted in hospital for treatment but she died. The petitioner has got no criminal antecedent. The husband of the petitioner has already been allowed bail by order dated 21.04.2015 vide Cr. Misc. No. 6653 of 2015 by coordinate Bench of this Court and besides suspicion and hear say evidence there is nothing against the petitioner. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail by submitting that the dead body was identified by the younger sister of the deceased and she has stated that the petitioner and Dr. Suresh Choudhary have assaulted Soni Kumari after closing her in the house resulting she became unconscious and thereafter they brought her at tempo and threw the dead body. She has also stated that Soni Kumari (deceased) has seen the illicit relationship of the petitioner with Suresh Choudhary. The other witnesses Asha Kumari, Manoj Paswan and Lal Bihari Paswan in paragraphs- 28, 29 and 36 of the case diary have stated that the petitioner and Suresh Choudhary have assaulted the deceased after closing her in a room.

In the facts and circumstances as stated above, considering that the witnesses have supported regarding hands of

the petitioner in killing her daughter including the younger daughter of the petitioner and as such this Court is not inclined to enlarge the petitioner on bail and accordingly her such prayer stands rejected in connection with Khanpur P.S. Case No. 119 of 2014 pending in the court of Sri Atul Kumar Singh, J.M. 1st Class, Samastipur.

However, the trial court is directed to expedite the trial and to conclude the same preferably within six months after taking the same on day to day basis.

(Jitendra Mohan Sharma, J)

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