

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8322 of 2016

Arising Out of PS.Case No. -16 Year- 2015 Thana -INDUSTRIAL District- BHAGALPUR

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1. SUBHADRA DEVI @ SUMITRA DEVI wife of Sri Upendra Sah
Resident of Village - Indira Nagar, Jaruah, P.S. - Town, District - Dumka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abinash Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 01-03-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be mother-in-law of the deceased
and there is accusation that she along with co-accused, Pankaj Sah
sprinkled Kerosene oil and lit fire on the person of the deceased.
The present case was initially, registered under Sections-326, 307,
120B/34 of the Indian Penal Code & and Section-3/4 of Dowry
Prohibition Act on the statement of the deceased but after death of
the deceased, Section-304B of the Indian Penal Code was also
added.

Considering this aspect of the matter that the statement
of deceased amounts to her dying declaration, I am not inclined to
release the petitioner on bail and accordingly, her prayer for bail in

connection with Industrial P.S. Case No. 16 of 2015 corresponding to Sessions Trial No. 449 of 2015 pending in the court of learned Additional District & Sessions Judge-VI, Bhagalpur stands rejected.

However, learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible.

A.K.V./-

(Hemant Kumar Srivastava, J)

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