

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11191 of 2016

Arising Out of PS.Case No. -215 Year- 2015 Thana -BARACHATTI District- GAYA

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1. Rita Devi Wife of Raju Sao, Resident of village- Gangati, P.S.-
Barachatti, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 28-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Barachatti
P.S. Case No. 215 of 2015 registered for the offences punishable
under Sections 302 and 201/34 of the Indian Penal Code.

Allegedly, to grab the land of the aunt of the informant,
the petitioner and other co-accused, after assaulting her with brick,
stones and by pressing her nose and mouth, killed her and threw
the dead body.

Submission is of false implication and that there is no
specific allegation against the petitioner. During investigation
witnesses, namely, Girdhari Yadav and Lakhan Paswan have
stated that the petitioner threw bricks upon Lakshiya Devi which

hit her and she fell down in the field of Gopal Mistry and, as such, there was no intention to commit the murder of Lakshiya Devi and no offence punishable under Section 302 IPC is made out against the petitioner.

The learned APP opposes the prayer of bail by submitting that the petitioner threw piece of brick and it was the petitioner who assaulted the deceased causing her death. Other witnesses vide para 40 and 41 have also supported the allegation.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly, her such prayer stands rejected in connection with Barachatti P.S. Case No. 215 of 2015 pending in the court of learned ACJM, Sherghati, Gaya .

However, let the trial be expedited and concluded, preferably within nine months after receipt or production of a copy of this order.

(Jitendra Mohan Sharma, J)

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