

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48284 of 2017

Arising Out of PS.Case No. -13 Year- 2015 Thana -BHADWAR District- GAYA

=====

Kapila Devi, Wife of Ram Varan Chaudhary, Resident of Village-
Barwadih, Police Station- Bhadwar, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Binod Kumar, Advocate.

For the Opposite Party : Mr. Prem Kumar Jha, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
19.04.2016 in connection with Sessions Trial No. 150 of 2017,
Bhadwar P.S. Case No. 13 of 2015 for the offence registered
under Sections 302, 120(B)/34 of the IPC and ¾ of Prevention of
Witch Act.

The prosecution story, in brief, is that the Chaukidar
received confidential information by the Villagers on 13.09.2015
that in the village-Barwadih, this petitioner killed her mother-in-
law, Kaili Devi. Petitioner's husband, Ram Varan Chaudhary by
alleging allegation of witch, always assaulted her for share. The
deceased Kaili Devi did not live in her house. Petitioner including



her husband and son killed Kaili Devi.

This is second attempt on behalf of the petitioner for grant of bail.

Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 30333 of 2016 dated 16.01.2017 taking into account that the petitioner is the assailant of the deceased.

A report was called for from the court below regarding the stage of the case. It has been reported that out of seven prosecution witnesses, two witnesses have already been examined and the trial is expected to be concluded within a period of six months.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Trial No. 150 of 2017, Bhadwar P.S. Case No. 13 of 2015, pending in the court of learned A.D.J., F.T.C.-I, Gaya.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of copy of this order.

The District Magistrate, Gaya and the Superintendent of Police, Gaya are directed to ensure that the remaining witnesses are produced on the date fixed by the court below so that the trial



could be concluded within the stipulated period.

Let a copy of this order be communicated to the
District Magistrate, Gaya and the Superintendent of Police, Gaya.

U.K./-

(Sudhir Singh, J)

U		T	
---	--	---	--

