

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38700 of 2017

Arising Out of PS.Case No. -272 Year- 2015 Thana -PHULPARAS District- MADHUBANI

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Sunita Devi, wife of Sri Shiv Nath Mukhiya, Resident of Village- Purbari Tolla, Phulparas, P.S.- Phulparas, District- Madhubani.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Adv.

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 30-08-2017

Heard both sides.

The petitioner seeks bail in Phulparas P.S.Case No. 272 of 2015, registered for the offences punishable under Sections 364, 302, 201 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The petitioner is suffering from mental illness. The petitioner did not confess her guilt. The prayer for bail was earlier rejected vide order dated 10.03.2017 passed in Cr.Misc.No. 34333 of 2016. The petitioner is in jail since 01.10.2015. It appears that the child was missing and for missing of the child, the informant lodged FIR against unknown. It has



come during investigation that the child was sleeping by the side of the petitioner and when the petitioner was arrested she did not confess her guilt, and disclosed that she killed the child and threw the dead body in a ditch. In pursuance of the confessional statement of the petitioner, the dead body was recovered from the ditch.

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

The trial court is directed to hold the trial on day to day basis and conclude the same within 9 months from the date of receipt/production of a copy of this order. The Superintendent of Police, Madhubani is directed to ensure the attendance of the witnesses so that the trial must be concluded within nine months from the date of receipt/production of a copy of this order.

Let a copy of this order be sent to the Superintendent of Police, Madhubani as well as the court of learned Additional Chief Judicial Magistrate II, Jhanjharpur, Madhubani for strict compliance.

(Prabhat Kumar Jha, J)

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