

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41973 of 2018

Arising Out of PS.Case No. -567 Year- 2016 Thana -SHERGHATI District- GAYA

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Munni Devi, W/o Bachan Ram and D/o Mukhlal Ram @ Mukhlal Singh,
R/o Vill.- Hade, P.S.- Mohanpur, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Neerad Parashar, Advocate.

For the Opposite Party : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

5 13-09-2018

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner is languishing in custody since 03.12.2016 in a case for the offence registered under Section 302 of the IPC.

The prosecution story, in brief, is that on 02.12.2016 at 6.00 P.M. the brother of the informant, Behan Ram, came home after consuming wine and for some matter, there was some altercation with his wife Munni Devi (petitioner) and because of this, the petitioner Munni Devi pressed his neck by *Lathi* which resulted in death of his brother Bechan Ram and to save her skin Munni Devi threw the dead body near *Drain* in front of house in night. It is further alleged that Ranjan Kumar, son of the petitioner, saw the occurrence and narrated the same.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no substantive evidence to suggest the implication of the petitioner in the present case nor there is circumstantial evidence in respect to participation of the petitioner in the alleged occurrence. The petitioner is a lady.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. She is assailant of the deceased. The son of the deceased in paragraph no. 9 of the case has supported the allegation made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sheghati P.S. Case No. 567 of 2016, pending in the court of learned A.C.J.M. Sherghati (Gaya).

The court below is directed to take all necessary steps to expedite the trial.

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(Sudhir Singh, J)

