

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8011 of 2018

Arising Out of PS.Case No. -370 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

=====

1. Priyanka Devi Wife of late Sujit Pandey Resident of Village- Gangta,
P.S. Gidhaur, District Jamui, at Present residing at Mohalla- Sansar Pokhar,
Ward No. 17, P.S. Lakhisarai, District Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

03 20-02-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in Lakhisarai (Kabaiya)
P.S. Case No. 370 of 2017 registered under Section 302/120B/34
of the Indian Penal Code.

As per the prosecution case, the petitioner is said to
have committed murder of her husband by assaulting on her chest
by means of knife over strained relation with her husband.

It is submitted by learned counsel for the petitioner
that there is no eye witness in this case rather it is a case of
circumstantial evidence. No occurrence as alleged has taken place.
As a matter of fact, the petitioner was cutting the shell of coconut
by means of knife, in the meantime her husband arrived there and
asked her to go to market and tried to snatch the knife and in



- 2 -

course of snatching the knife pierced into his chest resulting into his death. There is no motive behind the occurrence.

On the other hand, learned A.P.P. and learned counsel for the informant vehemently opposing the prayer for bail have submitted that there is direct allegation against the petitioner of committing murder of her husband by assaulting on his chest by means of knife over strained relation with her husband for extra marital affairs of petitioner with someone else. The I.O. has also recovered the knife, bloodstained bed sheet and the sleeper of the deceased and seized the aforesaid articles. It is further submitted that the small knife used in the kitchen for cutting the vegetable cannot be used for cutting the hard portion of coconut i.e. shell. Moreover the blood was not found in the kitchen rather in the bedroom.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail and her payer of bail is rejected. However, the learned trial Court is directed to conclude the trial as expeditiously as possible, preferably within a period of six months from the date of commitment of the case.

(Prakash Chandra Jaiswal, J)

Trivedi/-

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

