

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3293 of 2019**

Arising Out of PS. Case No.-43 Year-2019 Thana- NAUTAN District- Siwan

SINDHU DEVI Wife of Manoj Yadav Resident of Village - Angauta, P.S.-
Nautan, Distt - Siwan.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Gajendra Kumar Singh
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 13-09-2019 Heard learned counsel for the appellant and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for bail vide order dated 25.06.2019 passed by learned 1st Addl. Sessions Judge, Siwan in Nautan P.S. Case No. 43 of 2019 registered under Sections 302, 201 and 120B of the Indian Penal Code and Sections 3(2)(v)(a) of the SC/ST Act.

Husband of the informant left the house responding the telephonic call to attend Barat at Mirjapur but he did not regress to the house. Subsequently his dead body was recovered from the house of the appellant Sindhu Devi.

It is submitted by learned counsel for the appellant



that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to animosity. There is no eye witness of the occurrence. At the time of occurrence, appellant was not present in her marital house rather had gone to her maternal house and was apprehended later on by the police on 18.03.2019. She happens to be lady. She has no criminal antecedent and has been languishing in custody since aforesaid date. Hence she may be enlarged on bail.

On the other hand, learned Spl. PP for the State vehemently opposing the bail petition submitted that witnesses in para-58 and 59 of the case diary have unanimously stated that the appellant had taken some money from the deceased for purchasing land and on mounting pressure by the deceased upon the appellant to return back his money calling her at his house, she stepped out of the house of the deceased and extended threatening of dire consequence to him and on the same date dead body of the deceased was found in the house of the appellant. Hence appellant does not deserve bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the appellant on bail. Prayer for bail of the appellant is rejected. Accordingly this appeal is dismissed.



However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within six months from the date of framing of charge by fixing the case on day-to-day basis and S.P., Siwan is directed to ensure production of the witnesses in the case on each and every date fixed in the case without fail.

Let a copy of this order be communicated to S.P., Siwan by fax for needful.

(Prakash Chandra Jaiswal, J)

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