

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7823 of 2019

Arising Out of PS. Case No.-236 Year-2017 Thana- SAKRA District- Muzaffarpur

=====

Kavita Kumari @ Kumari Kavita, Wife of Late Abhishek Kumar Resident of Village- Kanahuli, Bawan Bigha, Road no. 04 B, P.S.- Mithanpura, District- Muzaffarpur. At Present D/O Harendra Kumar., R/o village Muraul, P.S.- Sakara, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Amit Kumar Rakesh

For the Opposite Party/s : Mr.Pushpa Sinha.1

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 06-03-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Sakra P.S. Case No. 236 of 2017 registered under Sections 302, 120B/34 of the Indian Penal Code.

The petitioner is said to have committed murder of her husband by administering him poison along with her family members.

It is submitted by learned counsel for the petitioner that she has no concern with the aforesaid occurrence. She has been falsely implicated in this case. Charge-sheet has been submitted under Section 306 of the IPC and cognizance has



been taken accordingly. As per report of the court concerned, no witness has been examined by the prosecution. Petitioner has been languishing in custody since 29.06.2017. She has given birth to a female child in the jail premises itself and facing great difficulty in taking care of the child in jail.

On the other hand learned APP opposed the bail prayer of the petitioner and submitted that it is a case of murder of deceased by his wife (petitioner). Earlier considering the entire materials available on record, bail petition of the petitioner was rejected and petitioner has not advanced any convincing further ground for enlarging her on bail at this stage. He has further submitted that there is provision in for providing adequate food and medical care to the child in the jail premises itself. Hence, the petitioner does not deserve bail..

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, bail petition of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within six months from the date of receipt/production of a copy of this order fixing the case on day to day basis and S.P., Muzaffarpur is directed to ensure production of the witnesses in the case on



each and every date fixed without fail.

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

(Prakash Chandra Jaiswal, J)

sushma/-

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

