

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.864 of 2019

Arising Out of PS. Case No.-16 Year-2015 Thana- INDUSTRIAL District- Bhagalpur

Subhadra Devi @ Sumitra Devi, wife of Sri Upendra Sah @ Upendra Prasad
Sah Resident of Village-Indira Nagar, Jaruadih, P.S Town, District-Dumka

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Smt. Anita Kumari Singh, Adv.
For the Opposite Party/s : Mr. Md. Ashlam Ansari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 06-02-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case initially registered
for the offences punishable under Sections 326, 307, 120-B,
34 of the Indian Penal Code and later on, Sections 304-B of
the I.P.C. and $\frac{3}{4}$ of D.P. Act was added.

Earlier the bail prayer of the petitioner was
rejected by this court. The petitioner happens to be mother
in law of the deceased and it is alleged that she along with
her son committed the murder of the deceased by pouring
K. oil on her.



The learned trial court vide letter no. 100 dated 19.01.2019 has reported that out of eight proposed prosecution witnesses, seven prosecution witnesses have already been examined and the case is pending for recording the evidence of doctor. The learned trial court further reported that process has already been issued against the said doctor to procure his attendance. However, the learned trial court has sought three months more time for conclusion of trial of the petitioner.

Learned counsel appearing for the petitioner submits that petitioner is in jail custody since 24.08.2015 and there is nothing on the record to show that release of the petitioner on bail shall cause any tampering with the prosecution evidence. It is further submitted on behalf of the petitioner that husband of the deceased is already in jail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, particularly, taking note of this fact that almost all the material prosecution witnesses have already been examined, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Sessions Judge-V, Bhagalpur in connection with Sessions Trial No. 449 of 2015 + 749 of 2015 arising out of Industrial Area P.S. Case No. 16 of 2015.

(Hemant Kumar Srivastava, J)

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