

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 5049 of 2020

Arising out of PS Case No.-286 Year-2018 Thana-Ujiyarpur District-Samastipur

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Rekha Devi, aged about 50 years, female, Wife of Late Ganesh Chaurasiya, R/o Village-Pataili Hat, P.S.-Angarghat, at present Village-Lakhua Pataili, P.S.-Angarghat, District-Samastipur.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Hans Raj, Adv.

For the State : Mohammad Sufyan, APP

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CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

05/- 14.08.2020

Heard Mr. Hans Raj, learned counsel for the petitioner and

Mohammad Sufyan, learned APP for the State.

The petitioner seeks bail in connection with Sessions
Trial No. 368 of 2019 arising out of Ujiyarpur P.S. Case No.



286 of 2018, dated 16.11.2018, instituted for the offences under Sections 302/34 of the Indian Penal Code.

The petitioner is the wife of the deceased whose complicity in the occurrence surfaced on the confession of one Ram Babu Paswan. There is a call detail report which discloses that she had a talk with one Krishna Kumar Paswan. Though there is no direct evidence against the petitioner of having killed her husband, but she is sought to be prosecuted on circumstantial evidence.

It has been submitted on behalf of the petitioner that she is in custody since 09.02.2019.

This Court had, on 29.05.2020 asked for a report from the Court below about the stage of the case. The report does not seem to have reached this Court, but the learned counsel for the petitioner has informed that up-till-now only two witnesses have been examined.

Considering the facts afore-stated, this Court though is not inclined to grant bail to the petitioner for the present, but considers it expedient to direct that the trial of the petitioner be



concluded positively within a period of six months from the date of receipt/production of a copy of this order.

In case, the trial is not concluded within the aforesaid period, the petitioner would be entitled to pray for bail before the Trial Court and in that event, the Trial Court shall record reasons for not according the privilege of bail to the petitioner, keeping in mind that she is in custody since 09.02.2019.

The prayer for bail of the petitioner is, accordingly, rejected.

This application stands dismissed.

(Ashutosh Kumar, J.)

Praveen-II/Krishna

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