

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12917 of 2021**

Arising Out of PS. Case No.-185 Year-2019 Thana- AMNAUR District- Saran

ANITA DEVI Wife of Late Chhote Lal Rai Resident of Khorai Paker Govind,
P.S.- Amnour, District - Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh,Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar,APP

For the Informant : Mr.Yashraj Bardhan,Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 25-08-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and Mr. Dr. Ajeet Kumar, learned APP
for the State.

The petitioner in the present case is seeking regular
bail in connection with Sessions Trial No. 246 of 2020 arising
out of Amnour P.S. Case No. 185 of 2019 registered for the
offences punishable under Sections 302/201/120(B) of the
Indian Penal Code. She is in custody since 30.06.2019.

Learned counsel for the petitioner submits that the
petitioner is the wife of the deceased and the allegation against
her is that she had conspired the killing of her husband in
collusion with co-accused Shailendra Rai with whom she had
got illicit relationship.

Learned counsel submits that it is a case of false

implication of the petitioner and there is no material against her.

On the other hand, learned counsel for the informant and learned APP for the State have opposed the prayer for bail of the petitioner. It is submitted that the various witnesses in the case diary have supported the allegation that this petitioner had got illicit relationship with co-accused Shailendra Rai. Co-accused Shailendra Rai had made confessional statement on the basis of which recoveries have been made and the petitioner was arrested by police in company of co-accused Shailendra Rai. It is submitted that her arrest with the co-accused shows that the allegations in the FIR have got substance.

Having regard to the facts and circumstances of the case, there being material against the petitioner in the case diary and the petitioner has been arrested by police in company of the co-accused Shailendra Rai, this Court is not inclined to release the petitioner on bail at this stage. The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited. Since the petitioner is in custody for more than two years, the learned trial court must expedite the trial and all attempts be made to conclude the trial within a period of one year from the date of communication of this order. The prosecution must cooperate by producing all the

witnesses on the date fixed in the matter. If the trial remains
unconcluded within the said period of one year for no reason
attributable to the petitioner, she may renew her prayer for bail.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.