

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29367 of 2022

Arising Out of PS. Case No.-104 Year-2019 Thana- SILAO District- Nalanda

SATYA DEVI Wife of Late Kapil Ravidas Resident of Village - Bhuee
Mahadalit Tola, P.S.- Silao, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Premchandra Yadav, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-07-2022 Heard learned counsel for the parties.

The petitioner has renewed her prayer for grant of regular bail in a case registered under sections 302, 120B and 34 of the Indian Penal Code.

As per the prosecution case, the brother and mother of the deceased are said to have assaulted the husband of the informant with a sword and an axe leading to grievous injuries which lead to his death.

It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 16.11.2021 (Annexure-1) passed in Cr. Misc. no. 10484 of 2020. Taking note of the fact that the petitioner was a 80 year old lady having no criminal antecedent and was in custody since 5.6.2019, this Court had directed the learned trial



court to expedite the trial and conclude the same preferably within a period of six months from the date of communication of the order. Liberty was granted to the petitioner to renew her prayer for bail, if there is no substantial progress in the trial. It is submitted that there is no progress in the trial whatsoever and inspite of the petitioner having remained in custody since 5.6.2019, no witness has been examined on behalf of the prosecution.

Heard learned APP for the State.

Report was called for from the learned trial court. As per the report received contained in letter dated 13.7.2022 no witness out of the six chargesheet witnesses has been examined on behalf of the prosecution andailable warrant has been issued against the four non official witnesses including the informant.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for 3 years together with the contents of the report received from the learned court below, the petitioner is directed to be enlarged on bail in connection with S.T. no. 216 of 2020 (arising out of Silao P.S. Case no. 104 of 2019) on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 3rd, Nalanda at Biharsharif.

(Partha Sarthy, J)

Spd/-

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