

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44552 of 2021

Arising Out of PS. Case No.-115 Year-2019 Thana- PRANPUR District- Katihar

Kaliya Devi, Wife of Chandan Parihar, Resident of Village - Khushahalpur,
P.S.- Pranpur, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-02-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Choubey Jawahar, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain bail in connection with Pranpur P.S. Case No.115 of 2019 registered for the offences punishable under Sections 302 and 120(B) of the Indian Penal Code. Earlier her prayer for bail was rejected by learned Predecessor Bench vide order dated 05.06.2020 passed in Cr.Misc.No.86492 of 2019 after noticing that this petitioner has been named one amongst the co-accused who had taken away the husband of the informant.

Learned counsel for the petitioner submits that some



of the co-accused similarly situated who were also named in the FIR have been granted bail by learned Predecessor Bench vide order dated 01.09.2020 in Cr.Misc. No.13007 of 2020.

On the other hand, Mr. Choubey Jawahar, learned APP for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the co-accused have been granted bail by learned Predecessor Bench after noticing that the dead body of the husband of the informant was recovered from the verandah of the house of the co-accused Chandan Parihar. So far as this petitioner, she happens to be the wife of the co-accused Chandan Parihar, therefore, the dead body has been in fact recovered from the house of Chandan Parihar as well as this petitioner and this is the distinguishing feature of this case.

Having regard to the submissions and on noticing that the dead body was recovered from the house of this petitioner and Chandan Parihar who is none else but the husband of the petitioner, this Court is not inclined to release the petitioner on bail. Prayer for bail is, thus, refused.

Let the trial be expedited.

Considering that the petitioner is in custody since 31.05.2019, the learned trial court is expected to proceed with the trial by keeping the records on shorter dates, by not granting



unnecessary adjournments to the parties and all endeavours be made to conclude the trial within a reasonable time.

The prosecution must cooperate by producing the witnesses on the dates fixed in the matter. If the trial still remains unconcluded within a period of six months from the date of communication of this order and for no reason attributable to the petitioner, he 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'.

