

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.60997 of 2021**

Arising Out of PS. Case No.-243 Year-2017 Thana- MADHAURAH District- Saran

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MOSMAT MUNNI DEVI @ MUNNI DEVI W/o Late Ranjay Giri, D/o Late
Shankar Giri R/o village- Bhawalpur, P.S.- Marhaura, Distt.- Saran at Chapra

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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

3 05-01-2022 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain
bail in connection with Sessions Trial No. 338/2018, Marhaura
P.S. Case No. 243/2017 registered for the offence under Section
302, 307, 34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was
rejected after noticing that she had assisted her brother in giving
assault on the neck on his father which caused severe injuries on
the neck leading to death of his father. The informant is none
else than the mother of this petitioner.

Learned trial court's report is available on the record.
According to learned trial court the prosecution has produced
last witness on 04.01.2021 and all charge-sheet witnesses have



been examined so far. The record is pending only awaiting appearance of Dr. Bimlesh Kumar who happened to be the then Civil Surgeon cum Chief Medical Officer, Vaishali. The trial court expects conclusion of trial within two months.

In the aforesaid view of the matter, this court is not inclined to release the petitioner on bail at this stage.

Let all endeavours be made to procure the attendance of Dr. Bilmesh Kumar and in this connection the District Magistrate, Vaishali is directed to ensure that the Civil Surgeon Dr. Bimlesh Kumar is duly produced in course of trial. There is aailable warrant against him which was issued on 02.11.2021, therefore the Superintendent of Police, Chapra, Saran shall ensure execution of warrant of arrest.

If the trial is still not concluded within a period of two months from the date of communication of this order, the petitioner may renew her prayer for bail in the learned court below itself.

(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.

