

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67966 of 2021

Arising Out of PS. Case No.-152 Year-2021 Thana- BELDOUR District- Khagaria

ASHA DEVI W/o Umesh Sharma Resident of Village - Gandhi Nagar,
Etmadi, Beldaur, P.S.- Beldaur, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Raj, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 13-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Beldaur
P.S. Case No. 152 of 2021 registered for the offence under
Sections 302 and 201 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 09.07.2021.

The allegation against the petitioner is to commit
murder of three years old son of the informant.

Learned counsel appearing on behalf of the petitioner
submitted that informant is not eye-witness of the occurrence
and for only reason that dead body recovered from the house of
the petitioner, she has been implicated. It has been submitted



that house of the petitioner occupied by other family members also. It has been submitted that admittedly, the occurrence was for previous dispute related with dropping mobile of informant in water by the petitioner, which is the basis of suspicion to lodge present FIR. It has further been submitted that petitioner is the mother of three children and languishing in jail since one year. While concluding the argument, it has been submitted that charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, submitted that petitioner committed murder of three years old son of the informant, and further dead body of the deceased was found, concealed inside the trunk of the house of the petitioner which was in her exclusive knowledge. It has further been submitted that murder of a child, who is just three years old, was committed in very brutal manner, as corroborated with postmortem report, where, it has been opined that almost all cervical vertebrae was found fractured.

In view of the facts and circumstances as mentioned above, as dead body of the deceased child recovered from the trunk, keeping inside house of the petitioner, this Court is not inclined to grant privilege of bail to the petitioner.



Accordingly, the prayer of bail of the petitioner is rejected, herewith.

Trial Court is directed to conclude the trial preferably within 09 (Nine) months.

The Superintendent of Police, Khagaria, is directed to produced the charge-sheeted witnesses, as and when directed by the Trial Court, for expeditious disposal of trial, within aforesaid time period.

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

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