

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68213 of 2021

Arising Out of PS. Case No.-473 Year-2020 Thana- MADHAURAH District- Saran

PANPATI DEVI W/o Wakil Rai Resident of Village- Bardahiya, PO.S.-
Marhowrah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 25-07-2022 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
Marhowrah P.S. Case No. 473 of 2020 registered for the offence
under Sections 341, 323, 324 and 307 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.08.2021.

The allegation against the petitioner, who is a lady, is
to assault repeatedly the son of the informant, aged about 9
years with knife, having intention to cause death.

Learned counsel appearing on behalf of the petitioner
submitted that allegation is ill-motivated due to pending



property dispute between the parties. It has further been submitted that injury received by the injured is due to falling from the stairs of temple. It is submitted that petitioner is a lady, who is further involved in two other criminal cases, in which, she is on bail. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, submitted that place of occurrence is wheat field and is not temple as learned counsel for petitioner submitted. It has further been submitted that petitioner, having two criminal antecedents, repeatedly assaulted a helpless 09 years old son of informant, where 02 injuries found grievous over neck of the injured, which clearly speaks about the intention of the petitioner. While concluding the argument, it has been submitted that charge-sheet has been submitted without recording the statement of the injured, namely, Sandesh Kumar, without having any just-explanation.

In view of the facts and circumstances as mentioned above, as injuries found over the injured is in full corroboration with nature of weapon alleged to cause assault coupled with the



fact that assault was repeated, this Court is not inclined to grant privilege of bail to the petitioner, at present.

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

The trial court is directed to conclude the trial, preferably, within 06 months.

The Superintendent of Police, Saran, is directed to produce the charge-sheeted witnesses, as and when directed by the trial court, to conclude the trial expeditiously.

(Chandra Shekhar Jha, J)

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