

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72401 of 2021

Arising Out of PS. Case No.-155 Year-2017 Thana- PIRO District- Bhojpur

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LALITA DEVI W/o Laxuman Paswan Resident of Vill - Dusadhi Badhar, P.S.
- Piro, Dist. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-03-2022 Heard the learned counsel for the petitioner and Sri

Satya Nand Shukla, the learned APP for the State.

The petitioner seeks regular bail in connection
with Piro PS case no. 155 of 2017 instituted for the offences
punishable under Sections 497, 324, 307/34 of Indian Penal
Code.

The case of the prosecution in brief is that the
petitioner is the sister-in-law of the deceased victim lady and it
has been alleged by the informant in her fardbeyan that her
marriage was solemnized about one and a half months back with
one Dharmendra Paswan, whereafter she had come to her in-
laws' place and had found that her husband was having affair
with the petitioner herein and when she had protested, she was
assaulted by them. It is further alleged that subsequently also,



the illicit affair between the husband of the informant and the petitioner continued, however, upon protest being made by the deceased regularly, she was pushed in a room, fire was lit and the doors of the room were closed, resulting in her getting grievously burnt. It appears that the informant had died during the course of treatment.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 08.10.2019. The learned counsel for the petitioner has further submitted that the charges have already been framed in the present case and as far as the petitioner is concerned, she is languishing in custody since about three and a half years and there is no progress in the trial whatsoever, hence it would be in the interest of justice to grant bail to the petitioner herein.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

This Court, vide order dated 12.01.2022, had called for a report from the learned court of Additional Sessions Judge-III, Bhojpur at Ara with regard to the present stage of the trial and the likely time to be consumed in completion of the



trial. A report dated 25.01.2022 has been received by this Court, wherein it has been stated that the charges have already been framed against the petitioner on 04.06.2020, whereafter, warrants of arrest have been issued against the witnesses named in the charge-sheet, however unfortunately, uptil now, none of the witness has yet been examined.

I have heard the learned counsel for the parties and perused the materials on record as also the report submitted by Additional Sessions Judge-III, Bhojpur at Ara dated 25.01.2022. Considering the entirety of the materials on record, this Court finds that the petitioner has already undergone three and a half years' custody, charges have already been framed in the present case and there is no possibility of completion of the trial in the near future, hence considering this aspect of the matter as also the nature of the allegations levelled against the petitioner, I deem it fit and appropriate to grant the privilege of bail to the petitioner, however subject to certain conditions.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge-III, Bhojpur at Ara in connection with Piro PS case no. 155 of 2017.



It is further directed that the petitioner would appear before the learned court below on each and every date so fixed and in case of default on two consecutive occasions, the present privilege of bail being extended to the petitioner shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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