

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58153 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- SAHAJITPUR District- Saran

Gayatri Devi Wife of Late Pappu Kumar Yadav Resident of Village- Dhawar
Tola, Ram Nagar, P.S.- Sahajitpur, District- Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 22-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with S.T.
No. 627 of 2021 arising out of Sahajitpur P.S. Case No. 97 of
2021 registered for the offence under Sections 302 of the
Indian Penal Code.

The informant, who is father of the deceased,
alleged that his daughter-in-law has killed his son by
assaulting and inflicting sharp cutting injury to his neck by
means of Kudal.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He



further submits that the petitioner happens to be wife of the deceased and according to the F.I.R. she alleged killed her husband by inflicting sharp cut injury by means of kudal which she was sleeping in the night. He further submits that there is no eye witness to the alleged occurrence and she has been made victim of circumstance only. The petitioner is rotting in judicial custody since 20.07.2021.

A report with regard to present stage of the trial has been called for by this Court vide order dated 01.02.2023 which has been received and forms part of this application at Flag-6P. On perusal thereof, it would reveal that eight prosecution witnesses have been examined in this case and the trial is likely to be concluded soon.

Learned counsel appearing for the petitioner referring to the aforesaid report submits that the trial of this case is not likely to be concluded in near future and the petitioner is languishing in judicial custody since 20.07.2021 i.e more than two year.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and present stage of the trial as discussed in the report



received from the Court below and also the nature of offence, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner is rejected.

However, learned trial court is directed to expedite the trial and try to conclude it at the earliest.

(Rajesh Kumar Verma, J)

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