

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41273 of 2024

Arising Out of PS. Case No.-232 Year-2023 Thana- DHARHARA District- Munger

Soni Kumari wife of Nibash Kumar Village- Adalpur Ps- Dharhara Dist-
Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Adv.
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 29-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Dharhara P.S. Case No. 232 of 2023 for the offence punishable under sections 302 and 34 of the Indian Penal Code lodged on 30.11.2023 by the informant, Anita Devi.

3. As per the prosecution story, the informant alleged that on issue of electric connection, there was dispute in the family but later they came to peaceful conclusion whereafter, the allegation is that the informant alleged that her son Abhishek knocked the door of his sister-in-law, Saraswati Devi who jokingly informed that she will not open the door but in the meantime, the screaming came whereafter, the family members rushed to the place only to see the deceased in injured condition and this petitioner was having knife in her hand. Further, her



brothers and mother were also there. The injured was immediately rushed to the hospital where she was declared dead. Accordingly, the FIR.

4. In this case, the case diary was called for by the Coordinate Bench.

5. Learned counsel for the petitioner submits that there is inconsistency in the FIR/the version of the witnesses in course of investigation and further the wife of the deceased was found at her parent's home on the day the FIR was lodged, as incorporated in the police statement. Further, there is delay of a day in lodging the FIR, the petitioner is a lady and will appear in trial.

6. Mr. Bharat Bhushan, learned APP on the other hand, with the help of case diary has taken this Court to the post-mortem report to show that there was incised wound, deep in the chest cavity due to the knife blow and as per the FIR, it was in the hand of this petitioner. It is his further submission that three witnesses have been examined and the trial is moving in the right direction.

7. The allegation is there, it has been attributed to the petitioner, those present found the knife in her hand, the post-mortem report talks about the incised wound, the trial is on, in



that background, it would be appropriate that she faces trial. The bail petition stands rejected.

8. In view of the fact that the petitioner is in custody for more than a year, it would be appropriate that the trial is taken to its logical conclusion preferably within a period of six months.

(Rajiv Roy, J)

Vijay Singh/-

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