

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58260 of 2023

Arising Out of PS. Case No.-27 Year-2022 Thana- BHADAUR District- Patna

Sobha Devi @ Guria W/O Rajiv Kumar R/O Village- Tulsigarh, Ps. Chandi,
Dist. Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 30-01-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has prayed for bail in connection with
Bhadaur P.S. Case. No. 27 of 2022 instituted for the offence
under Sections 302, 201, 120B and 34 of the Indian Penal Code.

As per the prosecution story, the *Chowkidaar* Vijay
Paswan lodged this case stating that he got information from the
villagers that a dead body of male person is lying in *Bal Govind*
Khandhar. As no one could identify the person, it was presumed
that under conspiracy, he has been killed and dead body has
been thrown.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case.
The petitioner is not named in FIR rather her name came during



the course of investigation. Petitioner is wife of the deceased. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. There is no eye witness of the alleged occurrence. Moreover, she is languishing in judicial custody since 01.04.2022.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that the petitioner is wife of the deceased and the main reason of the murder of the deceased is that this petitioner has illicit relation with co-accused Sanjeev Kumar and the deceased had objection from the same. During investigation, confessional statement of this petitioner was recorded in para-57 of the case diary in which she confessed her guilt and stated that she was in love with co-accused Sanjeev Kumar and for that, she hatched a conspiracy with co-accused and other. Thereafter, they committed murder of the deceased, namely, Rajiv Kumar(petitioner's husband). Confessional statement of other co-accused persons were also recorded in paras-58 and 59 in which they too confessed their guilt about this offence and named the complicity of the petitioner. There is strong circumstantial evidence against the petitioner. The bail applications of the other co-accused persons have also been



rejected by another co-ordinate Bench of this Court vide order dated 05.04.2023 in Cr. Misc. No. 50228 of 2022 and 51398 of 2022.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

From perusal of the report of the trial Court in respect of conclusion of trial dated 04.01.2024 in which it is mentioned that trial will be concluded within 06 to 09 months approximately.

The trial court is directed to expedite the trial and conclude the same within a period of six months failing which, the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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