

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44114 of 2025

Arising Out of PS. Case No.-263 Year-2023 Thana- HATHAURI District- Muzaffarpur

Saroj Devi W/o Ashok Ojha R/o vill - Amma, P.S. - Hathauri, Distt.-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 26-09-2025 Heard the parties.

2. The petitioner is in custody in connection with Hathauri P.S. Case No. 262 of 2023 registered for the offences under sections 323, 120-B, 498A, 302, 201 and 504 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act lodged on 25.12.2023 by the informant, Komal Devi.

3. As per the prosecution story, the informant alleged that she was married in the family of the present accused persons and the petitioner is the mother-in-law. On 04.11.2023, she gave birth to a female child which was not accepted by the family members and on 23.12.2023, when she went to the kitchen to bring milk for her child and while returning, saw her mother-in-law coming out from the room. Once inside, she saw the child dead. This followed the FIR.



4. Earlier, the Trial Court report was called for which is on record, according to which, two out of seven witnesses have been examined.

5. Learned counsel for the petitioner submits that she has remained in custody for long and the informant has not supported the prosecution story.

6. Learned APP, Mr. Bharat Bhushan submits that a perusal of the postmortem report would show that two months old child was killed in a brutal manner inasmuch as trachea was fractured and the cause of death is asphyxia due to throttling (pressure over neck) and the allegation is on the grandmother.

7. Considering the submissions of the parties, in the opinion of this Court it would be appropriate that the trial is expedited and taken to its logical conclusion preferably within a period of six months as the petitioner is in custody since the year 2023.

8. The bail application, for the present, stands rejected.

(Rajiv Roy, J)

Adnan/-

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