

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.858 of 2016

Arising Out of PS.Case No. -36 Year- 2016 Thana -DUMARIA District- GAYA

=====

1. Urmila Devi, wife of Sarekha Yadav, resident of Village-
Hurmeth, Police Station- Dumaria, in the District of Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Rakesh Kumar Samrendra,
Mr. Sudhir Kumar Singh

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 05-12-2016 Heard the parties.

The appellant is a lady. She has been in judicial custody since 06.08.2016, in connection with Dumaria P.S. Case No. 36 of 2016, registered for the offences punishable under Sections 302, 120(B), 379, 435 of the Indian Penal Code, Section 27 of the Arms Act, Section 17 of the Criminal Law Amendment Act and Section 3(i)(xi), 3(ii)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

She is aggrieved by an order, dated 24.08.2016, passed by the Exclusive Special Court, (Special Judge), SC/ST Gaya, whereby he has rejected the appellant's



application for grant of regular bail.

Learned counsel, appearing on behalf of the appellant, has drawn my attention to the First Information Report in order to submit that there is specific allegation against four persons involved in commission of offence. There is no such allegation against the appellant. The allegation against the appellant is that she had held a meeting in order to pressurize someone to withdraw himself from the candidature of Mukhiya and when he did not oblige, he was killed in a conspiracy hatched up by persons including this appellant.

Learned counsel for the appellant has submitted that no date of the said meeting has been mentioned nor there any material to show that any conspiracy was hatched up with the perpetrators of the crime in which the appellant was involved in any manner. It has been submitted that the appellant has no criminal antecedent and she being a lady, there is no chance of her fleeing away from the course of trial.

Considering the submissions as above this appeal is allowed. The order, dated 24.08.2016, passed by the Exclusive Special Court, (Special Judge), SC/ST Gaya, is set aside.

The appellant above, named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000 (Rs.



Ten Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Court (Special Judge) SC/ST, Gaya, in connection with Dumaria P.S. Case No. 36 of 2016.

.

(Chakradhari Sharan Singh, J)

sunil/-c

U		T	
---	--	---	--

