IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.539 of 2017

Arising Out of PS.Case No. -201 Year- 2016 Thana -WARSALIGANJ District- NAWADA

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Nilam Devi Wife of Prajapati Prasad @ Satyadeo Prasad, Resident of Village- Mirchak, P.S.- Warisaliganj, District- Nawada.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Deepak Kumar
For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 18-07-2017 The appellant seeks pre arrest bail in connection with Warsaliganj P.S. Case No. 201 of 2016, registered for the offences punishable under sections 147, 148, 149, 341, 323, 307, 504/302 of the Indian Penal Code, section 27 of the Arms Act and section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant is that there was scuffle with respect to tie cattle with a view to grab the land and so far as the other allegations are concerned, there is case and counter case.

Learned counsel for the appellant submitted that there is general and omnibus allegation and no specific allegation of assault has been attributed against the appellant.

Heard learned Special P.P. as well as the informant

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who also could not point out any allegation of assault against the appellant who is a lady.

Having heard both sides, in view of the facts and circumstances stated above, this appeal is allowed. Let the appellant Nilam Devi be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of First Additional Sessions Judge-cum-Special Judge, Nawada in connection with Warsaliganj P.S. Case No. 201 of 2016, with following condition:-

(i) One of the bailors of the appellant shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court

(ii) The appellant shall cooperate in investigation and make herself available as and when required by the Police and on the even of failure on her part to appear before the Police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of her bail bonds.

(Vinod Kumar Sinha, J)

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