

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2203 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

=====

Asha Singh (Ex Chairman Mahmada Wali PACCS, W/o Chandra Kishor Kumar, resident of village-Barka Balua, PS-Patahi, District-East Champaran.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-08-2017 This appeal is for grant of pre arrest bail in connection with Patahi P.S. Case No. 17 of 2017 registered for the offence(s) under section(s) 406, 409, 420, 467, 468, 471, 504, 120(B)/34 of the Indian Penal Code and section 3 (i) (x) of the SC/ST (POA) Act.

Allegation against the appellant and other accused persons is that the informant raised his grievance against defalcation of huge amount of Government money made by the appellant and other accused persons in this case. Further allegation is that the appellant and other accused persons assaulted the informant and others and they also abused the informant by taking his caste name and threatened him.

Submission of the learned counsel for the appellant is



that there is absolutely nothing against the appellant and during the period the defalcation made, the petitioner was not Member of the Zila Parishad. The petitioner is a lady.

Heard learned Special Public Prosecutor also. He opposes the prayer of bail.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is allowed

Let the appellant, above named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt or production of a copy of this order, be released on bail on her furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East Champaran, Motihari in connection with Patahi P.S. Case No. 17 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make herself available



as and when required by the court and on the event of failure on her part to appear before the court below on two consecutive dates without showing any genuine rhyme or reasons, the prosecution will have liberty to move for cancellation of her bail.

(Vinod Kumar Sinha, J)

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