

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2430 of 2017

Arising Out of PS.Case No. -539 Year- 2013 Thana -WAJIRGANJ District- GAYA

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1. Sushila Devi Wife of Nasir Mian, Resident of Village-Gadahiyapar P.S.
Wajirganj District-Gaya

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nand Kishore Prasad Sinha

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-08-2017 Heard the parties.

The appellants seek pre arrest bail in connection with Wajirganj P.S.Case No.539 of 2013, registered for offences punishable under Sections 341, 323, 324 and 307/34 of the Indian Penal Code and section 3(2)(v) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant is that she along with the other accused persons entered into the house of the informant and abused her and also assaulted her.

Submission of the learned counsel for the appellant is that the allegation of entering into inside the house of the informant is not in the public view and secondly the injuries are not serious in nature.



Heard learned Special P.P. also.

Having considered both sides and in view of submissions, let the appellant in the event of arrest or surrender before the court of Special Judge within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 Exclusive Special Court (Special Judge) SC/ST, Gaya in connection with Wajirganj P.S.Case No.539 of 2013 arising out of A.B.P. No.173 of 2016 subject to conditions as laid down under Section 438 (2) of Cr.P.C., after setting aside order dated 3.9.2016 passed by the Exclusive Special Court (Special Judge) SC/ST, Gaya in Wajirganj P.S.Case No.539 of 2013, subject to further conditions that appellant will co-operate in investigation of the case and will appear before the Investigating Officer as and when required, failing which his bail bond shall be liable to be cancelled.

With the above observation, this appeal is allowed.

(Vinod Kumar Sinha, J)

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