

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3168 of 2017

Arising Out of PS.Case No. -294 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Indu Devi wife of Surendra Bhagat , resident of village Chargaha Kachahari
Tola, P.S. Turkauliya, District East Champaran.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-11-2017

Heard the parties.

The appellant seeks pre arrest bail in connection with
Turkauliya P.S.Case No.294 of 2017 registered for offences
punishable under Sections 341, 323, 324, 307, 354B, 379, 504 and
509 of the Indian Penal Code and section 3(i)(x) of SC/ST
(Prevention of Atrocities) Act.

Allegation against the appellant is that she abused the
informant by calling her '*Dian*' and '*Churail*'.

Submissions of the learned counsel for the appellant
is that she is a lady and allegation does not come under the
purview of Section 3 of SC/ST (POA) Act and other allegations
are simple in nature as well as there is a counter case lodged by
the side of the appellant.

Heard learned Special P.P. also.



Having considered both sides and in view of the submission, 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 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East Champaran at Motihari in connection with A.B.P. No.1511 of 2017 arising out of Turkauliya P.S.Case No.294 of 2017, subject to conditions as laid down under Section 438 (2) of Cr.P.C. after setting aside the order dated 21.7.2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East Champaran, Motihari in A.B.P. No.1511 of 2017 arising out of Turkauliya P.S.Case No.294 of 2017, 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 her bail bond shall be liable to be cancelled.

With the above observation, this appeal is allowed.

(Vinod Kumar Sinha, J)

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