

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.1757 of 2017**

Arising Out of PS.Case No. -38 Year- 2017 Thana -PATAHI District-  
EASTCHAMPARAN(MOTIHARI)

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Seema Kumari @ Seema Devi, Wife of Ramdarshan Prasad @  
Ramdarshan Sah, Resident of Village- Bela Baiju, P.S. Patahi, District- East  
Champaran, Motihari.

.... .... Appellant

Versus

The State of Bihar.

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. S.K. Thakur, Advocate  
: Mr. Devendra Kumar. Advocate  
For the Respondent/s : Mr. Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      17-07-2017      The appellant seeks pre-arrest bail in connection with  
  
Patahi P.S. Case No. 38 of 2017 registered for offences  
punishable under sections 147,148, 149, 341, 323, 307, 379, 504,  
506 of the I.P.C. and ¾ Witch Prohibition Act & 3(i)(x) of  
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)  
Act.

Allegation against the appellant and other co-accused  
persons are that when the informant was at his door the appellant  
and co-accused persons started to damage his house and abused by  
calling “DHOBI”. The appellant assaulted the informant by broom  
and sandal.

It has been submitted on behalf of the appellant that



no case is made out under section 3(i)(x) of the SC/ST (Prevention of Atrocities) Act. It is further stated that co-accused persons namely, Ajit Sah @ Ajit Kumar Sah, Madan Sah, Lalan Kumar Sah, Bittu Kumar Sah, Chandan Sah & Ramkailash Sah of Cr. Appeal No. 1762 of 2017 and Ramdarshan Prasad Sah of Criminal Appeal No. 1796 of 2017 have already been granted bail by this Court vide order dated 03.07.201.

Heard Special P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances, this appeal is allowed, let appellant surrender before the Court of Special Judge within a period of four weeks and on her so surrendering the Court below will release her on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, SC & ST (Prevention of Atrocities) Act, East Champaran, Motihari in connection with Patahi P.S. Case No. 38 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 reasons, the prosecution is free to move for cancellation of her bail.

**(Vinod Kumar Sinha, J)**

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