

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2090 of 2017

Arising Out of PS.Case No. -570 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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Nirmala Devi, wife of Late Awadhesh Kumar Mishra, resident of Village-
lohsari, P.S.-Bochhan, District-Muzaffarpur.

.... Appellant

Versus

1. The State of Bihar
2. Urmila Devi, wife of Shiv Shankar Paswan, resident of village Lohsari,
P.S. Bochhan, District Muzaffarpur

.... Respondents

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Appearance :

For the Appellant/s : Mr. Shashi Bhushan Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-08-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of pre-arrest bail in connection with Complaint Case No. C-570 of 2016, Trial No. 304 of 2016, lodged for the offences punishable under Section 3(1)(x) of SC/ST Act and for setting aside the order dated 2.6.2017 passed by Special Judge, Muzaffarpur.

Allegation against the petitioner is that she has executed a sale-deed and thereafter she filed petition for cancellation of the sale-deed and has not handed over the possession to the informant.

Submission of learned counsel for the appellant is that no case under the provisions of SC/ST Act is made out against the appellant and the allegation is false and concocted and appellant is a lady.



Heard learned Special PP also.

Having heard both sides and in view of facts and circumstances of the case, the appeal is allowed and the impugned order is set aside.

Let the appellant, above named, surrender before the Special Court within four weeks and on her so surrendering she shall 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 the Special Judge, SC/ST Act, Muzaffarpur, in connection with Trial No. 304 of 2016, arising out of Complaint Case No. C-570 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions are that :-

- (i) one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned,
- (ii) appellant shall co-operate in investigation of the case.

(Vinod Kumar Sinha, J)

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