

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3006 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -KUTUMBA District- AURANGABAD

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Dulari Devi W/o Shambhu Yadav, R/o Village- Labharibigha, P.S.-
Kutumba, District- Aurangabad.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Bachan Jee Ojha

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of pre-arrest bail in connection with Kutumba P.S.Case No. 103 of 2017 registered for the offences punishable under Sections 147, 149, 342, 323, 337, 307, 332, 353, 324, 504, 506 of the Indian Penal Code and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 7.9.2017 passed by Additional District Judge-I-cum-Special Judge, SC/ST Act, Aurangabad.

Allegation against the appellant and other accused persons is of abusing the police personnel by taking caste name.

Submission of learned counsel for the appellant that there is general and omnibus allegation and no specific allegation is attributed against her and appellant is lady.



Heard learned Special P.P.

Having heard both sides and considering the facts and circumstances of the case and also considering that appellant is lady, the appeal is allowed and the impugned order is set aside.

Let appellant, above named, surrender within a period of six 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 Additional District Judge-I-cum-Special Judge, SC/ST Act, Aurangabad, in connection with Kutumba P.S.Case No. 103 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further conditions as follows :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned,
- (2) Appellant will co-operate in investigation of the case and appear before the Investigating Officer as and when required, failing which her bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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