

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.490 of 2018

Arising Out of PS.Case No. -77 Year- 2017 Thana -SC/ST District-
EASTCHAMPARAN(MOTIHARI)

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Kumanti Devi, Daughter of Triveni Sah, Resident of Village-Sagar Matiya,
P.S.-Pipra, District- East Champaran. Appellant

Versus

The State of Bihar Respondent

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Appearance :

For the Appellant/s : Mr. Dhannjay Kumar No 2, Adv.

For the Respondent/s : Mr. Sri Sadanand Paswan, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-02-2018 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Motihari P.S. Case No. 77 of 2017, registered for the offences punishable under Sections 341, 342, 323, 379, 504/34 of the Indian Penal Code and 3(i)(a)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 08.01.2018 passed by 1st A.D.J-cum-Special Judge, SC/ST, East Champaran Motihari.

Allegation against the appellant and other accused persons is of abusing the informant and also assaulting her.

Submission of learned counsel for the appellant is that there is no specific allegation attributed against her, who is lady and her name is mentioned in the FIR.

Heard learned Special P.P. also.



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

Let the appellant, above named, surrenders in the court below within a period of six weeks and on her so surrendering, she shall be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned 1st A.D.J., East Champaran, Motihari, in connection with SC/ST (Motihari) P.S.Case No. 77 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions are as follows :

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

(Birendra Kumar, J)

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