

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.588 of 2018

Arising Out of PS.Case No. -43 Year- 2013 Thana -KATRA District- MUZAFFARPUR

=====

1. Nutan Devi, wife of Karpuri Thakur, resident of Village- Gangeya, P.O.-
Gangeya, P.S.- Katra, District- Muzaffarpur, former Mukhia of Barripanchayat.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Uday Prakash Sharma, Adv.

For the Respondent/s : Mr. Binay Krishna, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-04-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned Special Judge (S.C./S.T. Act), Muzaffarpur, in connection with Katra Police Station Case No.43 of 2013 registered under Sections 406,409,120B,467,468 of the Indian Penal Code and Section 3(ix) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant was Mukhiya of the Panchayat and allegation is that she alongwith others allowed distribution of scholarship amount meant for SC/ST candidates to some forged candidates.

Submission of the learned counsel for the appellant is that the appellant is in custody since 27.10.2017. Appellant has got no criminal antecedent and she has been



implicated on suspicion. Mukhiya is never directly involved in distribution of scholarship. It is business of the school Headmaster and Panchayat Secretary. No documentary evidence has been brought on the record during investigation to substantiate that the appellant was in any way involved.

Considering the substance in the submission aforesaid, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.04.2018
Transmission Date	23.04.2018

