

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.232 of 2019

In
CRIMINAL MISCELLANEOUS No.71977 of 2018

Arising Out of PS. Case No.-330 Year-2018 Thana- HILSA District- Nalanda

Arti Devi Wazir Paswan Resident of Village-Poora,PS-Telhara,District-Nalanda

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manager Sah

For the Respondent/s : Mr.Sri Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL JUDGMENT

Date : 29-04-2019

Heard learned counsel for the appellant and learned

Spl. P.P. for the State.

This is an appeal under Section 14 (A) (2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, against the refusal of prayer for bail vide order dated 23.8.2018 passed by learned 1st Additional Sessions Judges, Nalanda at Bihar Sharif in Hilsa P.S. Case No. 330 of 2018 registered under Sections 302, 120 (B) of the Indian Penal code, 27 Arms Act and Section 3 (ii)(b)(Va) of the S.C/ S.T. Act.

Son of the informant was married with Suryamanti Devi @ Pinki Kumari and after the marriage she stayed in her matrimonial house for 15 days. In the meantime one boy namely



Munna Prasad arrived there who was ousted by her in-laws. Thereafter, Suryamanti Devi @ Pinki Kumari went to her maternal house along with her brother and after couple of days she called the son of the informant and subsequently she telephoned that her son has been gun down by some unknown miscreants.

It is submitted by the learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant happens to be the mother-in-law of the deceased. She has not played any role in the aforesaid occurrence and there is no eye witness of the occurrence. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Other co-accused namely Munna Prasad and Kanchan Pawan have been enlarged on bail by co-ordinate Bench of this Court. Appellant has no criminal antecedent and she happens to be a lady and has been languishing in custody since 25.5.2018.

Learned Spl. P.P. for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional



Sessions Judge-cum- Special Judge, Nalanda at Biharsharif in connection with Hilsa P.S. Case No. 330 of 2018.

Accordingly, the impugned order is set aside and appeal is allowed.

(Prakash Chandra Jaiswal, J)

T.Kr./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	30.4.2019
Transmission Date	30.4.2019

