

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.354 of 2019**

Arising Out of PS. Case No.-182 Year-2017 Thana- KAUWAKOL District- Nawada

Sabo Devi, wife of Rajesh Manjhi, aged about 36 yr. (Female), Resident of Village- Bijho, P.S.- Kowakole, District- Nawada.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pramod Kumar Verma
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 12-03-2019 Heard learned counsel for the parties.

This is an appeal under Section14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 12.12.2018 passed by the learned Additional Sessions Judge, 1st, Nawada in connection with Spl(H) Case No.18/18 arising out of kawakole P.S. Case No.182/17 registered under Sections 302/201/34 of the Indian Penal Code.

The FIR of the occurrence of murder is against unknown. Suspicion is there against the appellant for commission of murder of his husband.

It has been submitted on behalf of the petitioner that



she is innocent and has falsely been implicated in this case merely on the basis of suspicion. Similarly placed co-accused Paras Singh has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.10.2018 passed in Criminal Appeal (SJ) No.2079 of 2018. Petitioner has no criminal antecedent and she is in custody since 17.10.2017.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.

Accordingly, the impugned order is set aside and



this appeal stands allowed.

(S. Kumar, J)

Sanjay/-

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