

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.775 of 2019

Arising Out of PS. Case No.-102 Year-2018 Thana- BISFI (PATAUNA) District- Madhubani

1. MD. SIDDIQUE @ MD. SADIQUE Son of Md. Jan Resident of Village - Jagban Tola Manirabad, P.S.- Bisfi (Patauna), District - Madhubani
2. Heera Devi @ Hira Devi Wife of Narayan Mahto Resident of Village - Jagban Tola Manirabad, P.S.- Bisfi (Patauna), District - Madhubani

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Gagan Deo Yadav
For the Respondent/s	:	Smt. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL JUDGMENT

Date : 02-04-2019

The appellants seek pre arrest bail in connection with Bisfi (Patauna) P.S. Case No. 102 of 2018, registered for offences punishable under Sections 406, 420 and 34 of the Indian Penal Code and Section 3 (i)(r)(w), 3(2)(va) of SC/ST Act.

Allegation as per F.I.R. that the appellants came at the house of the informant and took her to give her L.T.I. and Aadhar Card for providing the loan under Pradhan Mantri Awas Yojna, however, the appellants withdrew total amount of Rs. 90,000/- but only given Rs. 75,000/- to the informant.

At the very outset, learned counsel for the appellants has submitted that he may be permitted to withdraw this application so far appellant no. 1 is concerned with liberty to surrender before the court below and make prayer for regular bail.

Permission is accorded.



This appeal so far appellant no. 1 is concerned is dismissed as withdrawn with the liberty aforesaid.

So far appellant no. 2 is concerned, it has been submitted on behalf of the appellant Heera Devi that she is lady and has falsely been implicated in this case and the main allegation is against appellant no. 1, Md. Siddique @ Md. Sadique.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellant, namely, Heera Devi @ Hira Devi, in the event of her arrest or surrender before the Court below within a period of six weeks, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani, in connection with Bisfi (Patauna) P.S. Case No. 102 of 2018, subject to the conditions laid down under Sectin 438 (2) of Cr.P.C.

Accordingly, this appeal with regard to appellant no. 2 Heera Devi @ Hira Devi is allowed and impugned order with respect to her is set aside.

(Vinod Kumar Sinha, J)

sunilkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

