

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.928 of 2019**

Arising Out of PS. Case No.-268 Year-2016 Thana- ATRI District- Gaya

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MALA DEVI @ MALO DEVI, aged about 51 years, Female, Wife of Umesh Yadav, Resident of Village-Bikaipur, Tola-Satyanarainpur, P.S.-Atri, District-Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Kunwar Narayan Jamuar
For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT**

Date : 17-05-2019

Heard learned counsel for the appellant and the learned counsel appearing for the State.

This appeal is directed against the order dated 16.01.2019 passed by the Exclusive Special Judge, SC/ST Act, Gaya in A.B.P. No. 10 of 2019 in connection with Atri P.S. Case No. 268 of 2016 registered under sections 341, 323, 504, 376/34 of the Indian Penal Code and Sections 3(2) of the S.C. and S.T. (Prevention of Atrocities) Act.

Learned counsel appearing for the appellant submits that the appellant has been falsely implicated in this case. The present case has been lodged by the informant after three months of the alleged occurrence without there being any plausible explanation for the delay. As a matter of



fact, the victim is a married woman having three children and she herself went with Satendra Yadav. Moreover, the police after investigation has submitted final form in this case finding the appellant to be innocent. The appellant is a woman having no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the appellant, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 25,000/- (Twentyfive thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Judge, SC/ST Act, Gaya in connection with Atri P.S. Case No. 268 of 2016 subject to the conditions laid down under section 438(2) Cr.P.C.

This appeal is allowed and the impugned order is set aside.

(Arvind Srivastava, J)

mcv/-

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Transmission Date	

