

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1208 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- CHIKSAUR District- Nalanda

Manju Devi Wife of Naresh Prasad Resident of Village - Bajitpur, P.S.-
Chikasaura, Distt.- Nalanda. Appellant/s

Versus

The State of Bihar. ... Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar Singh

For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL JUDGMENT

Date : 23-05-2019

Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act
against the refusal of prayer for bail vide order dated 01.03.2019 passed
by learned 1st Addl. Sessions Judge-I- cum-Special Judge, Nalanda at
Biharshrif in Chiksaura P.S. Case No. 21 of 2019 registered under
Sections 307, 341, 323, 504, & 506/34 of the Indian Penal Code and
Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

Over row of removal of 'Nad' from the passage appellant
is said to have slated the informant in the name of his caste descending
at his door and on the order of the appellant his son Bittu Kumar
resorted firing which hit to one Rupam Kumari and Munchun Kumar
assaulted to Rekha Devi with rod inflicting injury on her head.

It is submitted by learned counsel for the appellant that



no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to land dispute. She happens to be next door neighbour of the informant. She does not happen to be assailant. No offence under SC/ST Act is made out against the appellant. She has no criminal antecedent. She happens to be lady and has been languishing in custody since 26.02.2019.

Learned Spl. PP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge-I- cum-Special Judge, Nalanda at Biharshrif in Chiksaura P.S. Case No. 21 of 2019

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

Trivedi/-

(Prakash Chandra Jaiswal, J.)

AFR/NAFR	NAFR
CAV DATE	NA
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