

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1243 of 2019**

Arising Out of PS. Case No.-21 Year-2019 Thana- DHARHARA District- Munger

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PUJA DEVI W/o Late Bambam Tanti (wrongly mentioned in F.I.R. as Wife of
Rana Yadav), D/o Jamun Prasad, R/o village- Sarobagh, P.S.- Dharhara,
Distt.- Munger

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Jyoti Ranjan Jha

For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 25-06-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST
Act against the refusal of prayer for anticipatory bail vide order
dated 07.03.2019 passed by learned Special Judge cum A.D.J.-I,
Munger in Dharhara P.S. Case No. 21 of 2019 registered under
Sections 302, 452 and 120B/34 of the Indian Penal Code,
Sections 3(i)(r)(s) and 3(2)(v) of the SC/ST Act and Section 27
of the Arms Act.

12 named accused persons and two unknown



miscreants including the appellant are said to have taken the brother of the informant at the exhortation of Amerika Devi (Mukhiya) slating him in the name of caste and gunned him down over row of filing case against the son of said Mukhiya over murder of cousin nephew of the informant.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. She has been falsely implicated in the case due to dirty village politics. She also happens to be member of Scheduled caste, hence no offence under SC/ST Act is made out against the appellant. Allegation of eliminating the brother of the informant levelled against the appellant is not specific rather general and omnibus in nature. Appellant happens to be lady.

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

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge cum A.D.J.-I, Munger in Dharhara P.S. Case No. 21 of 2019, subject



to the condition as laid down under Section 438 (2) of the
Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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