

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3298 of 2019**

Arising Out of PS. Case No.-166 Year-2017 Thana- SHIVSAGAR District- Rohtas

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MALTI DEVI Wife of Surendra Singh Resident of Village - Dehra, P.S.- Shiv  
Sagar, District- Rohtas

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Rajive Ranjan Singh

For the Respondent/s : Mr.Sadanand Paswan

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

4      20-11-2019

Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 27.06.2019 passed by learned 1<sup>st</sup> Additional District & Sessions Judge, Sasaram at Rohtas in connection with Registration No. 196 of 2017 arising out of Shiv Nagar P.S. Case No. 166 of 2017 registered under Sections 366A, 120B, 34 of the Indian Penal Code and Section 3(1)(R)(s)(xi) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellant has been rejected.

Learned counsel appearing for the appellants submits that the appellant, who is of clean antecedent, is innocent and has not committed any offence. In fact, there is general and omnibus allegation against the appellant and no



specific allegation is attributed to her rather the specific allegation of kidnapping is attributed to the co-accused, Raja Yadav. Therefore, prima facie, no specific case is made out against the appellant. Hence, the appellant may be granted the privilege of pre-arrest bail.

Considering the facts and circumstances of the case, let the above named appellant in the event of their surrender within a period of four weeks be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1<sup>st</sup> Additional District & Session Judge, Rohtas at Sasaram in connection with Registration No. 196 of 2017 arising out of Shiv Sagar P.S. Case No. 166 of 2017 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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

**(Arvind Srivastava, J)**

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