

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3855 of 2019

Arising Out of PS. Case No.-554 Year-2019 Thana- HAJIPUR District- Vaishali

Bedami Devi W/o Bateshwar Das R/o Village- Konhara Ghat, P.S.- Hajipur
Town, Dist- Vaishali.

... .. Appellant.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rakesh Prabhat

For the Respondent/s : Mrs. Usha Kumari 1

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

ORAL ORDER

2 13-09-2019 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, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 31.07.2019 passed by learned 1st Additional Sessions Judge cum Special Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No.554 of 2019 registered under Section 302/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

While the brother of the informant, namely, Suraj Kumar Malik was engaged in cremation of the dead body in



crematory, six named accused persons including the appellant descended there and started slating him and on the exhortation of Bateshwar Das, Rakesh Das resorted firing on the temple of his brother while Umesh Das resorted firing in his leg. He was rushed to the hospital but declared brought dead.

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 merely because she happens to be wife of Bateshwar Das and family members of Rakesh Das and Umesh Das. She does not happen to be assailant. The allegation of slating the informant levelled against the appellant is not specific rather general and omnibus in nature. Appellant happens to be lady and has no criminal antecedent. She has been languishing in custody since 22.06.2019.

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 released 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 Additional Sessions Judge cum Special Judge,



Vaishali at Hajipur in connection with Hajipur Town P.S. Case
No. 554 of 2019.

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

(Prakash Chandra Jaiswal, J)

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