

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5116 of 2019**

Arising Out of PS. Case No.-358 Year-2019 Thana- FALKA District- Katihar

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FULAN DEVI Wife of Nandlal Choudhary Resident of Tikapatti, Chandpur
Musahri Tola, P.S.- Falka (Pothia), District - Katihar.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rajendra Prasad Sah
For the Respondent/s : Ms.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 16-12-2019 Appellant seeks bail in connection with Falka

P.S.Case No. 358 of 2019 registered for the offences punishable

under Sections 302/34 of the Indian Penal Code and Section 3

(Ii)(v) of Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Act.

As per FIR prosecution case is that when informant

came to his house he did not found his mother there and

thereafter he started searching her and found her lying in

unconscious condition behind the house of appellant and further

saw that one person was fleeing away. It is also alleged that

when his mother regained consciousness she disclosed the name

of one Sadanand Sah and 3-4 unknown persons assaulted her.

Submission of learned counsel for the appellant is that

except suspicion there is nothing against her and she is in



custody since 13.9.2019 and charge sheet has been submitted in this case.

Heard learned Special P.P., who has opposed the prayer for bail of the appellant.

Having heard both sides and in the facts and circumstances, as stated above, let appellant, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I-cum-Special Judge, Katihar, in connection with Falka P.S. Case No. 358 of 2019, G.R.No. 4218 of 2019, subject to the conditions that one of the bailors of the appellant shall be a local person having sufficient immovable properties within the jurisdiction of court concerned.

Accordingly, this appeal is allowed and the impugned order dated 26.10.2019 is set aside.

(Vinod Kumar Sinha, J)

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