

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1332 of 2020

Arising Out of PS. Case No.-48 Year-2020 Thana- BIHPUR District- Bhagalpur

SUWALA SINGH @ SUBALA SINGH Wife of Late Pawan Kumar Singh
Resident of Village-Babhangama, Police Station-Bihpur, District-Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Viveka Nandsingh
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-11-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

The present memo of appeal has been filed for setting
aside the order dated 13.05.2020 passed by learned Additional
District and Sessions Judge III-cum-Special Judge (SC/ST Act),
Bhagalpur in connection with Bihpur P.S. Case No. 48 of 2020,
registered under Sections 341, 323, 332, 333, 307, 353, 427,
448, 504, 506 and 34 of the Indian Penal Code and sections 3(1)
(r)(s) of the SC/ST Act.

As per the prosecution case while the informant, who
is Circle Officer of Bihpur circle, working in his office, all of a
sudden all the FIR named appellants including this appellant
entered into the office abused him by calling his caste name and



thrashed him by fist and slaps, as a result, he sustained injury.

It is submitted on behalf of the appellant that she has falsely been implicated in this case just to save his skin from Complaint Case No. 51 of 2020 which was filed by this appellant against the informant prior to the filing of the present case. There is no allegation of specific overt act against this appellant and is lady aged about 56 years. Appellant has got clean antecedent as stated in para 3 of the petition.

Considering the aforesaid facts, this appeal is allowed. The impugned order dated 13.05.2020 passed by learned Additional District and Sessions Judge III-cum-Special Judge (SC/ST Act), Bhagalpur is set aside.

Let the appellant above-named be released on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions III-cum-Special Judge (SC/ST Act), Bhagalpur, in connection with Bihpur P.S. Case No. 48 of 2020.

(Prabhat Kumar Singh, J)

vinita/-

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