

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.257 of 2022

Arising Out of PS. Case No.-136 Year-2021 Thana- NAYA RAM NAGAR District- Munger

MALA DEVI WIFE OF LATE MADAN PRASAD SINGH R/O
MOHALLA- RAMPUR RAILWAY COLONY JAMALPUR, P.S.-
JAMALPUR, DISTRICT- MUNGER

... .. Appellant/s

Versus

1. The State of Bihar
2. SANJIV PRASAD SON OF KRISHNADEO PRASAD R/O VILLAGE-
GHORGHAT, P.S.- BARIYARPUR, DISTRICT- MUNGER

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Mukherjee
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

- 3 29-09-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 22.12.2021 passed by learned Additional Sessions Judge-I Munger in ABA No. 1045 of 2021 whereby the prayer for bail of the appellant in connection with Naya Ramnagar P.S. Case no. 136 of 2021 under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i)(r) of SC/ST Act was rejected.

As per allegation in the FIR, informant had given money to the son of the appellant and on demand to return back, she along with other co-accused persons threaten him to face



dire consequences. It is further alleged that when the informant was going to his village, two unknown persons intercepted him and started to abuse and assault.

It is submitted by learned counsel for the appellant that appellants has been falsely implicated in this case due to some money dispute. She has not taken the cast name of the informant in public view. She has got no criminal antecedent. No offence is made out under the provisions of the SC/ST Act against them. The appellant has no intention to disgrace the image of the informant in public view.

The appeal for bail is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 22.12.2021 passed in A.B.A. No. 1045/2021 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Naya Ramnagar P.S. Case No. 136 of 2021 in the event of arrest or surrender before the court below within a period of four weeks on furnishing bail bond of Rs. 10,000/-



(Rs. ten thousand only) with two sureties of the like amount
each to the satisfaction of the learned Additional Sessions
Judge-I Munger.

(Sunil Kumar Panwar, J)

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