

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4879 of 2021

Arising Out of PS. Case No.-118 Year-2021 Thana- PIPRA District- Supaul

POONAM DEVI Wife of Chandra Bhushan Mandal Resident of village -
Mahichanda, Ward No.- 03, P.S.- Pipra, District - Supaul.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Pramod Mishra
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 18-07-2022 Learned counsel for the appellant is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the appellant as well as learned
counsel for the informant.

This appeal has been preferred on behalf of the appellant
under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act for setting aside the order dated
01.12.2021 passed by the learned Additional District & Sessions
Judge-I-cum-Special Judge, Supaul in A.B.P. No. 1301 of 2021
arising out of Pipra P.S. Case No. 118 of 2021, registered for the
offences punishable under Sections 302/34 of the Indian Penal Code
& Section 3(2)(V) of SC and ST (Prevention of Atrocities) Act and
Section 27 of the Arms Act, whereby the prayer for anticipatory bail
of the appellant has been rejected.



Learned counsel for the appellant has submitted that though the present case has been registered under Section 302 of the IPC and 302/34 of the IPC, 27 of the Arms Act and 3(2)(V) of SC & ST Act, but during course of investigation no material emerged against the appellant and investigating authorities filed final form against the appellant. She is a lady and a Teacher in a school.

Learned counsel for the informant has submitted that cognizance has been taken in this case, as such, the anticipatory bail is not maintainable.

Considering the above-mentioned facts and circumstances, the present appeal is not maintainable.

If the appellant surrenders before the court below and makes a prayer for bail that shall be considered on its own merit, preferably on the same day. The learned court may take notice of the fact that investigating authorities did not find material during course of investigation against the appellant.

With these observations, this criminal appeal is disposed of.

Office shall ensure that all defects are removed by the appellant within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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