

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1658 of 2022

Arising Out of PS. Case No.-166 Year-2021 Thana- JANTA BAZAR District- Saran

CHAMPA KUAR W/o Late Baban Prasad Srivastav Resident of Village-
Chakdeh, P.S.- Janta Bazar, District- Saran at Chapra.

... .. Appellant/s

Versus

1. The State of Bihar
2. Harendra Sah Revenew Clerk, Anchal Office Lahladpur, P.S.- Janta Bazar,
District- Saran at Chapra. Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Nawal Kishore Singh, Adv.
For the Respondent/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 10-02-2023 Heard learned counsel for the appellant and the
learned A.P.P. for the State.

This appeal is directed against the order dated
01.04.2022 passed by the learned Additional District Judge-III-
cum-Special Judge (SC/ST) Act, Saran at Chapra by which the
application of the appellants for pre-arrest bail has been rejected
in connection with A.B.P. No. 893 of 2022 arising out of Janta
Bazar P.S. Case No. 166 of 2021 registered under Section 353,
427, 504, 506 and 34 of the Indian Penal Code and Section 3(1)
(r) (s), 3(2) (va) of the SC/ST (POA) Act.

Learned counsel appearing on behalf of the
appellants submits that the appellant is innocent and has falsely



been implicated in the instant case. Further submission is that nothing specific has been alleged against this petitioner. The specific allegation is against co-accused persons namely Rajesh Srivastava and Abhay Srivastava. It is also submitted that the petitioner is a seventy years old widow lady and she has no criminal antecedent.

Having considered the above facts and circumstances of the case, the order dated 01.04.2022 passed in A.B.P. No. 893 of 2022 by the learned Additional District Judge-III-cum-Special Judge (SC/ST) Act, Saran at Chapra is hereby set aside and the above named appellant is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the learned court below in connection with A.B.P. No. 893 of 2022 arising out of Janta Bazar P.S. Case No. 166 of 2021, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Accordingly, the appeal stands allowed.

(Arvind Srivastava, J)

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