

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3205 of 2023**

Arising Out of PS. Case No.-60 Year-2023 Thana- SANOKHAR District- Bhagalpur

SUNITA DEVI W/O ARVIND MANDAL R/O VILLAGE- GHUTIIYANI
TINGHARIYA, P.S. AMDANDA, DIST.- BHAGALPUR

... .. Appellant/s

Versus

1. The State of Bihar
2. VITTIMAI DEVI W/O PATWARI HAUSDA R/O VILLAGE-
TINGHARIYA, GHUTIIYANI, P.S.- AMDANDA, DIST.- BHAGALPUR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Davendra Kumar Pandey
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 12-10-2023 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 06.05.2023 passed by learned 3rd Additional Sessions Judge-cum-Special Judge (SC/ST Act), Bhagalpur whereby the prayer for bail of the appellant in connection with Special S.C./S.T. Case No. 34 of 2023 arising out of Sanokhar (Amdanda) P.S. Case no. 60 of 2023 under Sections 302, 201, 34 of the Indian Penal Code and sections 3(2)(v) of SC/ST Act was rejected.

3. It is a case of commission of murder of the informant's husband namely, Patwari Honsda by all FIR named



accused persons including the appellant.

4. It is submitted by learned counsel for the appellant that appellant is innocent and has committed no offence. The appellant is a lady and she has been falsely implicated in this case only on the basis of suspicion due to dirty village politics. No one is the eye witness of the alleged occurrence. There is no direct or indirect allegation of any overt act against her. She is the wife of other co-accused Arvind Mandal, who disclosed her name in his confessional statement. She has not taken the caste name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against her. It is also submitted that she has got no criminal antecedent and languishing in judicial custody since 13.04.2023.

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

6. 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 06.05.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in



connection with Special S.C./S.T. Case No. 34 of 2023
arising out of Sanokhar (Amdanda) P.S. Case no. 60 of 2023
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 3rd Additional Sessions Judge-cum-
Special Judge(SC/ST) Act, Bhagalpur.

(Sunil Kumar Panwar, J)

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