

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3894 of 2023**

Arising Out of PS. Case No.-334 Year-2022 Thana- BARBIGHA District- Sheikhpura

MANJU DEVI W/O SURESH SINGH R/O VILLAGE - SARVA, P.S. -
BARBIGHA

... .. Appellant/s

Versus

1. The State of Bihar
2. ANJALI DEVI W/O SHARWAN KUMAR R/O VILLAGE - GIRIHINDA,
P.S. - SHEIKHPURA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pankaj Kumar

For the Respondent/s : Mr.Usha Kumari 1

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

3 16-10-2023 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 3.8.2023 passed by learned 1st Additional District and Sessions Judge, Sheikhpura in BP No. 1172 of 2023 whereby the prayer for bail of the appellant in connection with Barbigha P.S. Case no. 334 of 2022 under Section 420, 120(B) of the Indian Penal Code and sections 3(i)(r)(s)/3(2)(va) of SC/ST Act was rejected.

As per allegation in the FIR, on the assurance of providing job, accused persons, have taken Rs. Three lac rupees from different persons. Accused persons have



cheated the innocent people and when they demanded their money back, accused persons abused them by taking their caste name.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. Specific allegation is against co-accused Pankaj Kumar and not against the petitioner. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. He has got no criminal antecedent and languishing in judicial custody since 26.07.2023.

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 3.8.2023 passed in B.P. No. 1172 of 2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Barbigha PS Case No. 334 of 2022 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 1st Additional District and Sessions Judge,
Sheikhpura.

(Sunil Kumar Panwar, J)

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