

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3724 of 2023

Arising Out of PS. Case No.-208 Year-2023 Thana- BARSOI District- Katihar

Kalpana Devi @ Kalpana Verman W/O Late Debu Das R/O Village- Sindren,
Ps. Barsoi, Dist. Katihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Tetli Devi W/O Late Mohan Rai R/O Village- Dhachna, Harijan Tola, Ps.
Barsoi, Dist. Katihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajendra Prasad Sah
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-01-2024 Heard learned counsel for the appellant, learned

counsel for the informant and learned Special Public

Prosecutor for the State.

2. The instant appeal has been filed by the

appellant against the order dated 25.07.2023 passed by

learned A.D.J. I-cum- Special Judge SC/ST, Katihar

whereby the prayer for bail of the appellant in connection

with Barsoi P.S. Case no. 208 of 2023 under Sections

302/34 of the Indian Penal Code and sections 3(2)(v) of

SC/ST Act was rejected.

3. According to prosecution case, the informant



alleged that the appellant along with other co-accused persons have killed her son on the charge of stealing mobile and torch.

4. It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. There is no eye witness of the alleged offence. Nothing incriminating has been recovered from the possession of appellant. 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 him. Moreover, the appellant is languishing in judicial custody since 28.06.2023. A statement has been made in para 3 of the appeal that appellant has no criminal antecedent. Similarly situated several co-accused persons have been granted bail by this Court.

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

6. Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant and appellant is a



lady, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 25.07.2023 is hereby set aside.

7.The appellant is directed to be enlarged on bail in connection with Barsoi P.S. Case No. 208 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 A.D.J. I-cum-Special Judge SC/ST, Katihar.

(Sunil Kumar Panwar, J)

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