

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31410 of 2015

Arising Out of PS.Case No. -41 Year- 2014 Thana -SC/ST District- MADHUBANI

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1. Most. Sukari Devi wife of late Dukhi paswan Resident of Village-Chatara, Gobraura, North Balua, tola, P.s Khajauli, , District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-08-2015

Heard learned counsels for the petitioner

and the State.

Petitioner is apprehending her arrest in a case registered for the offences punishable under Sections 313, 323, 341, 376, 379, 504, 120B of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

It is alleged that co-accused Ram Nath Yadav ravished the informant and thereafter established physical relationship twice with the informant on promise of marriage. It is alleged against the petitioner that she assisted the main accused Ram Nath Yadav in getting the pregnancy of the informant terminated and subsequently snatched ornaments and abused the informant by calling caste name.

It is submitted by learned counsel for the petitioner that thrust of accusation is against Ram Nath Yadav

and the petitioner herself is member of Schedule Caste community, hence the offence under SC/ST Act is not made out against the petitioner. Moreover the Supervising Officer has not found the case true under Section 313 of the Indian Penal Code.

Considering the aforesaid facts, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Madhubani in connection with Madhubani SC/ST P.S. Case No. 41 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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