

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13844 of 2016

Arising Out of PS.Case No. -92 Year- 2015 Thana -BAUNSI District- ARRARIA

Kendula Devi, Wife of Ramanand Sah, Resident of Village- Kabaiya,
Police Station-Bousi, District -Araria. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 01-04-2016

Heard learned counsel for the petitioner and learned
Special Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection
with Bousi P.S. Case No. 92 of 2015 registered under Sections
448, 341, 323, 324, 504, 506 read with 34 of the Indian Penal
Code and Sections 3(iv)(x)(xi) of the Scheduled Castes &
Scheduled Tribes (Prevention of Atrocities) Act.

It is contended that the offences alleged under the
Indian Penal Code are all bailable in nature whereas the
ingredients of the offence punishable under Sections 3(iv)(x)(xi)
of the Scheduled Castes & Scheduled Tribes (Prevention of
Atrocities) Act could not be attracted as there is no allegation

that the petitioner intentionally insulted or humiliated with an intent to humiliate her within public view.

Learned Special Public Prosecutor of the State has opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the nature of allegation, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Araria in connection with Bousi P.S. Case No. 92 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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