

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3013 of 2017

Arising Out of PS.Case No. -121 Year- 2017 Thana -CHANDAUTI District- GAYA

- =====
1. Mantiya Devi Wife of Mosafir Yadav
 2. Sarbil Devi Wife of Vijay Yadav, Both Resident of Village-Durbey, P.S.-Chandauti, District-Gaya.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sudhir Kumar Sinha

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 01-12-2017 The appellants have challenged the order dated 12.09.2017, passed by the learned Special Judge, SC/ST, Act, Gaya in connection with Chandauti P.S. Case No. 121 of 2017 dated 12.08.2017 instituted for the offences under Sections 341, 323, 379, 504, 34 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act, 1989, whereby their prayer for being released on anticipatory bail has been rejected.

The appellants, both of whom are ladies, are alleged to have assaulted the informant and others and are also alleged to have abused them by their caste name.

Learned counsel for the appellants submits that from the nature of accusation levelled in the F.I.R itself, it appears that the dispute lies somewhere else. There appears to be some



land dispute between the families of the informant and the appellants.

Taking into account the aforesaid facts as also considering that the appellants are ladies, this Court deems it appropriate to set aside the order dated 12.09.2017. While saying so, this Court has also taken note of the fact that except for a vague allegation of the informant and others of having abused by calling the caste name, no offence under anyone of the provisions of the SC & ST (Prevention of Atrocities) Act can at all be said to have been made out. The aforesaid provisions have only been added to add seriousness to the offence.

The appellants, above named are directed to be released on bail in the event of their arrest or surrender within a period of four weeks from today and on their furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Gaya in connection with Chandauti P.S. Case No. 121 of 2017.

(Ashutosh Kumar, J)

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