

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3202 of 2017

Arising Out of PS.Case No. -288 Year- 2016 Thana -KOTWALI District- PATNA

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1. Ram Lakhan Mishra, Son of Late Ram Naresh Mishra,
 2. Rajeev Mishra @ Rajeev Kr. Mishra, Son of Ram Lakhan Mishra,
 3. Rajneet Mishra @ Ranjeet Kumar Mishra, Son of Ram Lakhan Mishra,
 4. Bharti Devi, Wife of Ram Lakhan Mishra, All resident of Pashchim Bazar, P.S.- Mohiuddin Nagar, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar.
2. Shreya Raj @ Sherya, Daughter of Name not known, Resident of A.I.O. of Polo Road, P.S.- Gardanibagh, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. S.N.P. Sinha, Sr. Advocate
Mrs. Rashmi Bharti, Advocate
Mr. Jitendra Narain Sinha, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 15-12-2017 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge-II-cum-Special Judge (S.C./S.T. Act), Patna, in Special Case No.572 of 2017, arising out of Kotwali Police Station Case No.288 of 2016 registered under Sections 498A/304/341/323/34 of the Indian Penal Code and Sections 3(ix) (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

The informant entered into marriage with Sanjeev Kumar son of appellant No.1 Ram Lakhan Mishra. Sanjeev Kumar was also accused in this case under Section 498A of the



Indian Penal Code as well as provisions of the SC/ST Act. However, the informant has already compromised the case with Sanjeev Kumar.

After hearing the parties and considering the fact that dispute arose out of matrimonial differences and compromise has already been entered into with the main accused i.e., husband and the allegation against the appellants is general and omnibus, let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Special Case No. 572 of 2017, arising out of Kotwali Police Station Case No.288 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, the appeal stands allowed.

(Birendra Kumar, J)

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