

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3407 of 2017

Arising Out of PS.Case No. -14 Year- 2016 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Rinku Kumari wife of Mukesh Singh resident of village - Balua, Police
Station - Paharpur, District - East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-12-2017

Heard learned counsel for the parties.

This is an appeal under Section 14(2)(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned Special Judge (S.C./S.T.), East Champaran, Motihari in Paharpur P.S. Case No. 14 of 2016 registered under Sections 341, 342, 323, 353 of the Indian Penal Code as well as Sections 3(i)(x) of the SC/ST Act.

The FIR would reveal that there was dispute regarding the selection process of Agan Wari Sevika and for that dispute, the occurrence, allegedly, took place.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the nature of allegation wherein there is



no mention of the caste name of the informant and the fact that the appellant is a female, let the appellant, above named, in the event of her 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 bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this application stands allowed.

(Birendra Kumar, J)

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