

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3640 of 2018

Arising Out of PS. Case No.-226 Year-2018 Thana- BHORE District- Gopalganj

Rukmani Kuer, W/o Late Ramraj Sah, R/o Village- Rakba, P.S.-Bhore,
District- Gopalganj(Bihar).

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Umesh Kumar Singh
For the Respondent/s	:	Smt Usha Kumari No-1
For the Informant	:	Mr. Dharmveer

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 24-09-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 20.08.2018 passed by the learned Additional Sessions Judge-I, Gopalganj in Bhore Police Station Case No.226 of 2018 registered under Sections 302, 201 of the Indian Penal Code as well as Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The murder of the son of the informant was committed by unknown person. The appellant and one more co-accused is under suspicion to have committed the murder.



Submission of the learned counsel for the appellant is that appellant is a female having no criminal antecedent. She is in custody since 08.07.2018. There is no witness of the occurrence.

Learned counsel for the informant orally submitted that appellant had identical criminal antecedent.

To counter the aforesaid submission learned counsel for the appellant submits that the earlier case also resulted in acquittal of the appellant.

Considering the entire facts especially the fact that only material against the appellant is suspicion and appellant is a widow lady, let the appellant, above named, 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 learned court below where the case is pending in connection with the aforesaid case, subject to the condition that the appellant 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 appellant.

Before accepting the bail bond the court below shall verify the factum of acquittal of the appellant in earlier case, if the informant produces a copy of the F.I.R., wherein appellant



is named or copy of charge sheet, wherein appellant has been charge sheeted.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

