

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.657 of 2018

Arising Out of P.S.Case No. -180 Year- 2017 Thana -MASRAKH District- SARAN

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1. Amrit Kala Devi, Wife of Chandra Bhushan Singh, Resident of Village-Khajuri,
P.S.-Mashrakh, District-Saran. Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Kant Singh, Adv

For the Respondent/s : Smt. Usha Kumar No.-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 19-04-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Saran at Chapra in connection with Mashrakh P.S.Case No. 180 of 2017 registered under Sections 436 of the Indian Penal Code as well as under Sections 3(i)(ii)(v) of the Scheduled Castes and Scheduled Tribes Act.

The informant had purchased a land from the husband of this appellant. Thereafter, informant constructed a Hut thereon. Allegation is that the appellant burnt the Hut.

Learned counsel for the appellant submits that it is a fact that informant had purchased a portion of the land. However, he wants to pressurize the appellant to transfer the remaining portion of the land, for which the appellant was not



ready. He further submits that the FIR was for the occurrence of 29.06.2017 was lodged on 05.07.2017 without any explanation for the same. The I.O. had not found any sign of arson at the place of occurrence.

Considering the entire facts aforesaid especially the fact that the appellant is a female, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (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 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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