

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1819 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -BELAGANJ District- GAYA

=====

1. Sadaf Minhaz, Wife of Kamaluddin Khan, R/o Village - Akhtar, P.S. -
Belaganj, District - Gaya.

.... Appellant

Versus

1. The State of Bihar.

.... Respondent

=====

Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-07-2018

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 anticipatory bail vide order dated 05.04.2018 in A.B.P. No. 42 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Gaya in connection with Belaganj P.S. Case No. 08 of 2018 registered under Sections 302, 120B, 354/34 of the Indian Penal Code, Section 27 of the Arms Act as well as Sections 3(1)(m)(r)(s)(w)(i)(2)(v) of the SC/ST Act.

Allegation in the FIR against the appellant is that she was Mukhiya and a complaint was made against her working by the husband of the informant. For that reason, at the instance of the



appellant, some other persons named in the FIR, allegedly, committed murder of the husband of the informant in presence of the informant.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the nature of allegation and the fact that the appellant is a female having no criminal antecedent, 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 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, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	19.07.2018
Transmission Date	19.07.2018

