

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3598 of 2018

Arising Out of PS. Case No.-6 Year-2018 Thana- SC/ST District- Araria

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1. Julee Devi @ Juli Devi wife of Sanjiv Krishna Choudhary
 2. Shalini Choudhary @ Shali Kumari d/o Sanjiv Krishna Choudhary
Both resident of Mohalla- Shivpuri Ward No. 9, Police Station and District- Araria.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anamul Haque, Advocate
For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 21-12-2018

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 against the refusal of prayer for anticipatory bail vide order dated 28.06.2018 passed by the learned 1st Additional Sessions Judge, Araria, in A.B.P. No.690 of 2018 (Special Case (S.C./S.T) No. 15 of 2018), arising out of Araria S.C./S.T Police Station Case No. 06 of 2018, registered under Sections 447/323/354B/379/504/506/34 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is case and counter case. The occurrence of abuse and assault allegedly took place for dispute arising out of



cutting trees.

Submission is that the accused persons were attempting to administer dirt to the informant is ornamental one. The witnesses have not supported the allegation.

Considering the entire facts aforesaid, 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 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 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 impugned order is set aside and the appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.12.2018
Transmission Date	22.12.2018

