

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2901 of 2018

Arising Out of PS.Case No. -66 Year- 2018 Thana -MARKAHI District- KHAGARIA

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1. Sunita Devi, wife of Ranjeet Bhagat
2. Ranjeet Bhagat, Son of Late Laxman Bhagat Both resident of Village- Rasaukh,
P.S.- Morkahi, District- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Sumiran Rai, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 31-08-2018

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 26.07.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Khagaria, in A.B.P. No.49 of 2018, arising out of Morkahi Police Station Case No.66 of 2018, registered under Sections 504/506/420/406/34 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Informant had taken loan from Mina Devi, and had mortgaged her ornaments. In the meantime, Mina Devi died. When she went to ask for return of the ornaments and receipt of the due



amount, she was allegedly abused and assaulted by the appellants and others.

Submission is that the appellants have no concern with Mina Devi. Appellant Sunita Devi was daughter-in-law of Mina Devi. Later on when her husband died, Sunita Devi has married with appellant Ranjeet Bhagat.

Considering the aforesaid facts, 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
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