

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2612 of 2018

Arising Out of PS.Case No. -150 Year- 2018 Thana -DIGHA District- PATNA

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1. Dipti Raj W/o Ajay Kumar D/o Yogeshwar Sahu, age about 31 years, R/o at present Mohalla Laxmi Nagar, Balupar, P.S. Digha, District- Patna, permanent Vikash Nagar Kurji Kothia, Road No. 9, P.S. Digha, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shiv Sagar Sharma, Advocate

For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 23-08-2018

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 10.04.2018 passed by the learned Special Judge (S.C./S.T. Act)-cum-Additional Sessions Judge-V, Patna, in A.B.P. No.2293 of 2018, arising out of Digha Police Station Case No.150 of 2018, registered under Sections 341/323/427/504/506/34 of the Indian Penal Code and Section 3(ii)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission of the learned counsel for the appellant is that the appellant, who is a female, had lodged a case, against her in-laws, of commission of abuse and murderous assault vide Annexure-2.



Thereafter at their instance the present information was set up to lodged the present case for the occurrence of the same date alleging therein that the appellant and others abused to her husband by taking caste name and committed assault.

Considering the background of the allegation as well as the fact that the appellant is a female, let the appellant, above named, in the event of her 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) 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/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 appeal stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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