

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3445 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- GANGABRIDGE District- Vaishali

Mamta Devi, D/o Nagina Das, R/o Vill. - Diwantok, P.S.- Ganga Bridge,
District- Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vasant Vikas

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 13.08.2018 in A.B.P. No. 1489 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 77 of 2018 registered under Sections 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code as well as Sections 3(i)(r), 3(i)(s), 3(2)(v)A of the SC/ST Act.

Submission is that the appellant is also a member of the scheduled caste and allegation is that during occurrence of assault, she took away Rs.5,000/- from the pocket of the informant.



Considering the nature of the allegation and the fact that appellant is a female having no criminal antecedent, 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 anticipatory 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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