

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1301 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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1. Dinesh Patel son of Asharfi Patel
2. Nirmala Devi wife of Dinesh Patel
3. Rani Devi D/o. Dinesh Patel

All are resident of Bindwalia, P.S. Govindganj, District- East
Champaran

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dilip Kumar Tondon, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 12-04-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge-I, Motihari, in connection with Govindganj Police Station Case No.22 of 2016 registered under Sections 447/341/323/379/504/34 of the Indian Penal Code and Sections 3(i) (x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that no offence under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is alleged; rather simple allegation of



commission of abuse and assault, alleging that wife of the informant is a witch, is there.

Submission is that earlier case was lodged by the appellant-side against the informant and others.

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)

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