

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1765 of 2018

Arising Out of PS. Case No.-29 Year-2017 Thana- SC/ST District- Sheikhpura

Rani Devi wife of Bijay Mahto, resident of Village- Devpuri, P.S. Ariari,
District Sheikhpura

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Devendra Prasad Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(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 27.04.2018 passed by the learned Additional Sessions Judge-1st, Sheikhpura in A.B.P. No.170 of 2018 in SC/ST Case No.222 of 2017, arising out of SC/ST Police Station Case No.29 of 2017 registered under Sections 341, 323, 329, 325, 504 of the Indian Penal Code and Section 3(2) (va)/3(R)(S)(W) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

According to F.I.R., the informant had given Rs.40,000/- (Rupees Forty Thousand) to co-accused *Vijay Paswan* for managing job for herself. When the job was not managed then she demanded



refund of money and for that reason co-accused *Vijay Paswan* and the appellant, who is a *local Sarpanch* allegedly committed assault against her. The appellant is wife of *Vijay Paswan*.

Considering the background and nature of allegation as well as the fact that 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 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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 this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

