

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.963 of 2018

Arising Out of P.S. Case No.-163 Year-2016 Thana- AURAI District- Muzaffarpur

Hena Devi Wife of Rajbali Jha, Resident of Village- Ratwara Bindwara, P.S.
Aurai, District- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ranjeet Kumar Mishra, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 19-04-2018

Heard learned counsel for the parties.

This is an appeal under Section 3(1)(X)(XI) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned 10th Additional Sessions Judge cum-special judge, SC/ST Act, Muzaffarpur, in connection with Aurai Police Station Case No. 163 of 2016 registered under Sections 147,149,307,323,341,354(B), 504, 506 of the Indian Penal Code and Section 3(I)(X)(XI) SC/ST Act of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant and others had gone to receive their Adhar Card in the Post Office where husband of the appellant was in charge Post Master. Allegation is that the named accused persons allegedly assaulted to the informant and committed abuse by taking caste name.

Considering the general and omnibus nature of allegation as well as background of allegation coupled with 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) 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 is 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 the appeal is allowed.

(Birendra Kumar, J)

Sarvesh Kumar
Singh/-

AFR/NAFR	NA
CAV DATE	NA
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