

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.926 of 2018

Arising Out of PS.Case No. -21 Year- 2016 Thana -MAHILA P.S. District- KISANGANJ

- =====
1. Raja Sah @ Raja Saha, S/o Jagdish Sah,
 2. Nunu Sah @ Nunu Pd. Sah S/o Late Tipu Sah, Both R/o Village-Phulwari ward No. 11, P.S. + District- Kishanganj.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Ram Prawesh Kumar, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-04-2018 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 Special Judge (S.C./S.T. Act), Kishanganj, in connection with Supplementary Special Case No.13 of 2017, arising out of Mahila Police Station Case No.21 of 2016 registered under Sections 342/376/313/34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The complaint based FIR would reveal that allegation of physical relation on the pretext of marriage is against co-accused Jitendra Sah. The appellants are family member of



Jitendra Sah. Mere allegation is of hurling threat. There is no allegation against the appellants in the statement of the victim under Section 164 Cr.P.C.

Considering the aforesaid fact, 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)

Mkr./-

U		T	
---	--	---	--

