

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.160 of 2018

Arising Out of PS.Case No. -95 Year- 2017 Thana -MAUZAHDIPUR District- BHAGALPUR

- =====
1. Sulia Devi, W/o Ganesh Sharma, D/o Ramotar Sharma, R/o Village- Barahiya Buddu Chak, P.S.- Budduchak, District- Bhagalpur.
 2. Sarban Sharma S/o Ramotar Sharma, R/o Mohalla- Warsaliganj, P.S.- Mojahidpur (Babarganj), District- Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Dr. Manoj Kumar

For the Respondent/s : Mr. Smt Usha Kumari No-1,SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-02-2018 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 against the refusal of prayer for anticipatory bail by the learned 2nd Additional Sessions Judge-cum-Special Judge, Bhagalpur, in Mojahidpur (Babarganj) Police Station Case No.95 of 2017 registered under Sections 341/325/504/324/307/376/34 of the Indian Penal Code and Sections 3(i) (r)/3(1)(w)(ii)/3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The main allegation of physical relation on the pretext of marriage is against the co-accused Dayanand. The appellants are



relations of Dayanand. For the aforesaid dispute allegation is that the appellants abused and assaulted.

Considering the nature of allegation against the appellants, in my view, they deserve anticipatory bail, 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 appeal stands allowed.

(Birendra Kumar, J)

Mkr./-

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

