

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2958 of 2018

Arising Out of PS.Case No. -148 Year- 2018 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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1. Yashoda Devi W/o Surendra Yadav, R/o Vill.- Salampur, P.S.- Weng, District-Nalanda (Bihar).			Appellant/s
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Versus

1. The State of Bihar			Respondent/s
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Appearance :

For the Appellant/s : Mr.Raj Kishor Prasad, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-11-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 28.06.2018 in A.B.P. No.1708 of 2018 passed by the learned 1st Addl. Sessions Judge, Nalanda at Biharsharif in connection with Rahui (Wena) P.S.Case No. 148 of 2018 registered under Sections 341,323,324,447,379,307,354A, 504,506/34 of the Indian Penal Code as well as under Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

Submission of learned counsel for the appellant is that for trivial dispute entire family members of the appellant have been roped as accused. Male members have already been sent to jail, simple allegation is that they said to the son of the informant that after his touching the hand-pump, it has got maligned.



Considering the general and omnibus nature of allegation and 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of 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 and further the appellant 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 appellant.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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