

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1567 of 2018

Arising Out of PS.Case No. -525 Year- 2017 Thana -BARBIGHA District- SEKHPURA

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1. Savitri Devi, wife of Late Banshi Ram.
2. Gautam Kumar @ Gautam Ram, Son of Late Banshi Ram, Both are resident of
Village Bhadarthi, P.S. Barbiga District- Sheikhpura. Appellant/s

Versus

1. The State of Bihar. ... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 24-07-2018

Heard learned counsel for the parties.

Appellant No.2-Gautam Kumar @ Gautam Ram has
already been arrested in this case. Hence, his prayer for
anticipatory bail is infructuous now.

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 18.01.2018 in A.B.P. (SC/ST) No.19 of 2017
passed by the learned 1st Additional District and Sessions
Judge, Sheikhpura in connection with Barbiga P.S.Case No.
525 of 2017 SC/ST No.303 of 2017 registered under Sections
447,341,504,506,34 of the Indian Penal Code as well as under
Sections 3(2)(Va)3(R)(S) of the Scheduled Castes and Scheduled
Tribes Act.

The FIR would reveal that there is land dispute



between the parties and for that reason, the bailable offences of the Indian Penal Code was allegedly committed by the appellant.

Considering the background and nature of allegation, let the appellant No.1, 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 both bailors shall be resident of territorial jurisdiction of the learned court below 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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