IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2190 of 2018

Arising Out of PS.Case No. -18 Year- 2017 Thana -SC/ST District- SIWAN

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1. Ajita Devi, Wife of Raja Ram Sah,
2. Ajit Kumar, Son of Raja Ram Sah, Both resident of Village- Chap Pashchim Patti, Police Station- Sarai O.P., District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Raghav Prasad, Advocate
For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date: 07-08-2018

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 vide order dated 10.05.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Siwan, in A.B.P. No.652 of 2018, arising out of SC/ST Police Station Case No.18 of 2017, registered under Sections 341/323/504/506/34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is case and counter-case between the parties.

Submission is that just to pressurize the present false case

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has been lodged with false allegation that the appellants were pressurizing the local Chowkidar to withdraw the earlier case lodged against the father of the co-accused Rajaram Sah.

Considering the aforesaid facts, 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./-

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