

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2967 of 2018

In
Criminal Miscellaneous No.44994 of 2018

Arising Out of PS. Case No.-526 Year-2017 Thana- FORBESGANJ District- Araria

Rubi Khatoon, W/o Md. Rafique, R/o Village - Dallu Tola, Ward No. 18, P.S. Forbesganj, District - Araria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kundan Kumar Singh
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-11-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 23.03.2018 in A.B.P. No. 337 of 2018 passed by the learned 1st Additional Sessions Judge, Araria in connection with Forbesganj P.S. Case No. 526 of 2017 registered under Sections 363, 365, 366A/34 of the Indian Penal Code as well as Sections 3(2)(v) of the SC/ST Act.

The main allegation of kidnapping is against co-accused Md. Kadir. Others were associates of Md. Kadir who left company of Md. Kadir after kidnapping. Allegation of



commission of rape is against Md. Kadir.

There is general and omnibus allegation against appellant Rubi Khatoon, who is a female, hence, 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/- (rupees twenty thousand) 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 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
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