

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.268 of 2019

Arising Out of PS. Case No.-122 Year-2018 Thana- SIRDALA District- Nawada

Meena Devi, wife of Bhukhan Sharma @ Shrawan Kumar Sharma, Resident
of Village- Laund(Chamotha), P.S.- Sirdalla, District- Nawada (Bihar)

... .. Appellant/s

Versus

The State Of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manish Kumar No2

For the Respondent/s : Mr.Usha Kumari (Spp 247)

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

This is an appeal under Section 14(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 05.12.2018 passed by the learned 1st Addl. District and Sessions Judge, Nawada in ABP No. 1869 of 2018 arising out of Sirdalla P.S.Case No. 122 of 2018 registered under Sections 323, 325, 341, 379/34 of the Indian penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation against four other accused persons is of assaulting the informant and when he fell down, it is alleged that appellant and other accused persons also assaulted him.

Submission of learned counsel for the appellant is that no specific allegation has been attributed of abusing the informant by caste name and there is case and counter case in between the parties

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the appellant, abovenamed, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the 1st Addl. District and Sessions Judge, Nawada in ABP No. 1869 of 2018 arising out of Sirdalla P.S.Case No. 122 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that appellant shall co-operate in the investigation and make herself available as and when required by the police and on the event of failure on her part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of her bail bonds.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to them.

(Vinod Kumar Sinha, J)

sujit/-

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Transmission Date	

