

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.973 of 2019

Arising Out of PS. Case No.-408 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Jitendra Kumar son of Late Jainath Prasad, R/O Nayak Toli, Ward No. 2, P.S. Rosera, District- Samastipur.
 2. Arun Rai @ Arun Kumar Rai, son of late Gangasagar Rai, R/O Hospital Road, Civil Line, P.S and District- Buxar. Both posted as Sub-Inspector, Mejarganj Police Station, District- Sitamarhi.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Nitu Kumari, Wife of Manoj Ram, R/O Village- Akhta, Ward No. 1, P.S.- Bairgania, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Jha
For the Respondent/s : Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 26-03-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 14.12.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST Act, Sitamarhi in ABP No. 1875 of 2018 arising out of Complaint Case No. C1-408 of 2017 registered under Sections 323, 341 and 504 of the Indian penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is that when



complainant went inside the chamber of appellant no. 1, who is an SHO, she was abused by caste name and was threatened to compromise the case lodged by her.

Submission of learned counsel for the appellants is that appellant no. 1 is a SHO and appellant no. 2 is Sub Inspector and several cases were lodged against the husband of the complainant and in one of the cases, appellant no. 2 was the Investigating Officer so in order to pressurize the appellant, present case has been lodged.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, 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, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the 1st Additional Sessoids Judge-cum-Special Judge, SC/St Act, Sitamarhi in connection with Complaint Case No. C1-408 of 2017; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned



order is set aside with respect to them.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

