

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.587 of 2019

Arising Out of PS. Case No.-52 Year-2018 Thana- BELDOUR District- Khagaria

MITTU MISTRI S/o Kailash Mistri Village-Gendharsan, P.S-Beldaur, Distt.-
Khagaria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 1442 of 2019

Arising Out of PS. Case No.-52 Year-2018 Thana- BELDOUR District- Khagaria

RANJAN DEVI W/o Late Deosharan Rajak, Resident of Village- Kurban,
P.S.- Beldaur, District- Khagaria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 587 of 2019)

For the Appellant/s : Mr.Binod Kumar

For the Respondent/s : Mr.Binay Krishna

(In CRIMINAL APPEAL (SJ) No. 1442 of 2019)

For the Appellant/s : Mr.Binod Kumar

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 28-05-2019

Heard learned counsel for the appellants and learned

Special P.P. for the State.

As both the criminal appeals have cropped up from the
same P.S. case, hence, aforesaid two appeals are being heard
together and disposed of by this common judgment.



Both aforesaid appeals under Section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for bail vide order dated 19.12.2018 passed by learned Additional Sessions Judge 1st-cum-Special Judge, SC/ST (Prevention of Atrocities) Act, Khagaria in Beldaur P.S. Case No. 52 of 2018 registered under Sections 302, 201/34 of the Indian Penal Code and also under Section 3 (i) (s), 3 (2) (v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against appellant Ranjan Devi is that she has illicit relation with Mithu Mistri and it is suspected by the informant that she was instrumentality eliminating the deceased.

Learned counsel appearing on behalf of the appellants has drawn attention to this Court to the order passed in the case of Chano Mistri and Others vs. State of Bihar in Criminal Miscellaneous No.52034 of 2018 and the order passed in Criminal miscellaneous No. 40091 of 2018 and in the case of Kailash Mistri @ Kailash Sharma Vs. State of Bihar. In both cases the different co-ordinate Bench of this Court considered various aspects of the matter and considering the fact that they have no criminal antecedent granted bail to them.



Learned Spl. P.P. for the State opposed the prayer for bail.

In the aforesaid circumstances, this Court is inclined to release the appellants on bail, the above named appellants are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st-cum-Special Judge, Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act, Khagaria in connection with Beldaur P.S. Case No. 52 of 2018.

Accordingly, the impugned order is set aside and both appeals are allowed.

(Anil Kumar Upadhyay, J)

T.Kr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.5.2019
Transmission Date	29.5.2019

